[ 9/2/4 - 6 ]

[ Land claims, vol. 4

July 14, 1884 - November 2, 1886 ]

| | |
|---|---|
| Agent (Calgary) | 5, |
| Anderson James C. | 29, |

Fawcett Thomas 2, 9,

Minister Deputy - 1, 3, 8, 11, 13, 14, M. 6, M. 30, 31.

Minister - + Deputy -

Report Annual (Asphalt) 16 to 20,

" (British Col.) (") 23 to 28

Walsh Aquila 4, 10,

1056

12 0

(Copy)

948

984

No 10

Dominion Lands Office
Edmonton, Alberta N.W.T.
14 July 1884.

Sir

I have the honor to request you will furnish me with an ordinary Assayer's outfit.

I am not aware what all are requisite, but the Official Assayer in connection with the Geological Branch, would I think, be able to state what are required:- Mortar, pestle, scales, acids and Cupel, also I will require a hand book on assaying

I have the honor to be
Sir
Your obedient Servant
(sgd) Wm Pearce
Supt

A. M. Burgess Esq
Deputy Minister
of the Interior
Ottawa
C.

(Can)

Dominion Lands Office
Bannerton, Oklahoma Ter.
14 July 1894

No 10

Sir

Have the honor to request you will transmit me with as pressing Despatch as
possible.
Have not room what we require; but
the Official Despatch in connection with the Register
Receiver, under Which, he will transact such Business
required. - Under these Circumstances we Could,
also Send required a Seal for each of Said

Have the honor to
Sir
Your obedient Servant
Jeff Williams
Clerk

C.M. Burgess Esq
Depty Minister
of the Interior
Ottawa
C.

949

985

(Copy)

No 13.

Dominion Lands Office
Edmonton, Alberta N.W.T.
14 July 1884

Sir

I have the honor to request that you will furnish me with a sketch, no matter how rough, of the Surveys completed and which will probably be completed this year by you up and along the Bow River. If any section posts are planted please show them, also the position of any witness or reference posts and any other information which may be of service in locating any mining claims

Being appointed Supt of Mines, I will have these applications going through my hands, hence the desirability of this information, the location of the Stations of the C.P. Ry. also would be valuable -

I have the honor to be,
Sir,
Your obedient Servant,
(sgd) Wm Pearce
Supt

Thos. Fawcett. D.T.S.
c/o W.S. King Esq
Inspector of Surveys
Battleford
N.W.T.

985

(Copy)

No 13

Dominion Bank Office
Belleville, Ontario, 14 Jan
14 June 1881

Dear Sir

Mrs. Mr. Henry Hepburn has sent
forward her note & letter, for over the Temperance
St. Bazaar. Completed and which will probably
be sent late this afternoon by express as more Mr.
Dear Henry. We send Receipt book we planter & have
also Mrs. also Mr. Hepburn & any particulars of
Bazaar Book and any other information which it
may be in your power to obtain and forward. Thanking
Yours obediently Office of Messrs. Hamilton Bros.
Belleville Opening Thursday and Saturday, Bazaar Mrs.
Secretaries of the Executive, Mr. Treasurer of the
Matters of the C.T. Society are under Management.

Messrs. Mr. Henry Hepburn,
Yours Respectfully,
Secretary
Belleville

Mrs. Henry Hepburn
c/o W. J. Henry Esq
Secretary Treasurer
Belleville
Ont.

986 (Copy)

Edmonton Aug 27th 1884

Dear Mr Burgess

Have returned here from Battleford and have to day had seven applications for Petroleum mining locations - Not having the area of the Edmonton District defined, I am not certain but what it is in the Calgary District, but took them & send Duplicate returns to Calgary Agent, so that he may be apprised that they are made here.

Trust you have recovered as well as can be expected, from your accident - that your health & spirits are good

Have written you to day officially regarding my next movements to be notified at Calgary - Also write Com[missioner] who I presume will be back in Ottawa from Sincere -

yours truly

Wm Pearce

A. M. Burgess Esq
Dp Minister of Interior
Ottawa
Ont.

385

(Copy)

Cheyenne Dec 29th 1890

Gen'l Mc Dowell

Have returned from Battle-
ford & have made application to Lieutenant
Governor Forbes - Old Treaty Terms of the Cheyenne
District Agency, have not certain but what this is the
Calgary District, but Fort Ellice & some Qu'Appelle Agencies
Calgary Agent, so that is why he applies that they
are under him.

Must pay here personal as well as over the
reservation, here upon account - that upon Battle-ford
agency.

Have written upon Lieut Gillespie all
necessary instructions to be carried out - Also
Capt Cook who goes with a Troop to Battle-
ford from Swinton -

Yours truly

P. D. Mc Cowan

Lieut Mc Dowell
Asst Adjt Genl
Omaha
Neb.

951

987

(Copy)

Edmonton Augt 27th 1884

Sir

I have the honor to inform you that I will probably be through here in a couple of weeks -

It will take me some days longer to make up my reports. Some few will have to remain for some time to allow further evidence to be furnished as desired -

I have this day written the Minister suggesting it might be advisable for me to go West along the C.P.Ry & see what mining was being done within the 40 mile Belt in B.C. if it were not intended that the B.C. authorities were to exercise jurisdiction there in the meantime. —

I have the honor to be
Sir
Your obedient Servant
(sgd) Wm Pearce
Supt

The Comr Dom. Lands
Winnipeg
Man.

987

(Copy)

Chancellor Ont. 27th 1899

Sir

Allow me to enclose you that Lieut Goodall
of Norwich has made a complete confession -

Would it be any more help to you if Goodall
was to appear. Above you will know if necessary for anyone else
to attend further enquiries. I am sending on receipt -

Have this day written the Minister to suspend
it would be agreeable for me to go West during the C.M.R.
& any other matters. Will you then write me if I can
Both on D.C. Hart and Lieutenant Hart the R.N.C.
Military Prize & appear from Brockville Thank you the
Prosecution. —

Allow me to have the
Hon
Chas Clarence Stewart
Esq M.P.
Ottawa

Mr Lieut Colonel Stewart
Winnipeg
Man -

952

988 (Copy)

Edmonton Aug 27th 1884

Sir

I have the honor to inform you that by my instructions the Edmonton Agent has accepted 7 applications for Mining locations which may be within your District. Will send you a duplicate of the returns thereof to H.O. and will let you know, so that you may be aware where they lie, being about 40 acres in area each and situate on the North Bank of the Red Deer River about 3 or 4 miles below the mouth of Jail Creek which is the outlet of Buffalo Lake, being about in Tp. 38 R. 20 W. of 4th.

Have no data here to show what is the limit of this District.

I have the honor to be,
Sir,
Your obedient Servant
(sgd) Wm Pearce

The Agent Dom. Lands
Calgary

(Copy)

Sacramento, Dec. 29th 1851

Sir

I have the honor to inform you that
my instructions to Edward Capel Esq
Deputy Surveyor for Mining Districts
relative to the duties of Mining Districts will com-
mence on the 1st of January 1852 and
it is your duty, as Deputy Surveyor of Sacramento
City, County, Mining Districts to see that the
provisions of the Revenue Act of April 18th 1851
in relation to Mining Districts are duly
complied with. Mining Districts
are to be laid out so as not to
exceed 3 miles below the mouth of Jack Bear Creek
nor 20 miles above it &c.

Please see that you have
Yours Respectfully

Chas. McKinstry

Chas. McKinstry Esq.
Dep. Surveyor
Sacramento City

989

953

(Copy)

Edmonton 27th Aug/84.

Sir,

I have the honor to inform you that the Agent for Edmonton, by my instructions has this day forwarded to the Agent of Dom. Lands Calgary six (6) applications for Mining Claims for Petroleum on the North side of the Red Deer River about three miles below Jail Creek, the outlet of Buffalo Lake - Not knowing where the limits of this District now, the Calgary Agent was requested, if within his District, to post them through his books and forward you, if not, to forward the Edmonton Agent, when positive necessary action will be taken.-

You will notice that, excepting two, they do not conform strictly to the requirements of the Mining Regulations

In one case the applicant could not make Affidavit that he had discovered Petroleum within the portion applied for, but from indications he believed that Petroleum would be found within it.-

In three of the cases the Applicants could not make the Affidavit that they had discovered Petroleum, but were associated with the discoverers thereof-

In the four cases the Affidavit was varied so that it could be taken by them, and - - - - - - - - - - subject to the approval of the Minister, before consideration, I thought the better course to adopt was to do as I have done - The parties urged that so far as Petroleum was concerned 40 acres was not enough for a claim - a new party could come along, purchase the land adjacent, and reap as much benefit from the discovery as the discoverer. - That there should be an exception from the General Rule in the Regulations, so far as Petroleum is concerned - It appeared to me that there was considerable force in their contention, and would refer it to you for Consideration.

There

989

Cher ami,

Clermont, 27 Déc. 84.

(Carré)

Mille

989

There is, I think, no doubt that some of these applicants are merely figure heads, through whom to secure the land, and that the assignment was arranged before the went to stake out the claims, the consideration also is probably fictitious, but it being a new discovery & if anticipations are realized, will prove of great value; I think they should be liberally treated and would recommend that these applications, though irregular, be approved by you.

Would be glad to hear from you an expression of your views on this point, and in any case it would be necessary to advise the Agent whether they are approved or not by you.

I have the honor to be,
Sir
Your obedient Servant
(Sgd) Wm Pearce
Supt

The Honble
Minister of the Interior
Ottawa

Mlle Mary &c

Miss Mary Mc Intosh
Edinburgh
Scotland

95-4

990

(Copy)

Edmonton Aug 27th 1884

Sir,-

I have the honor to inform you that I will probably be able to leave here in about two weeks, it may take me some few days longer to make reports on all the cases. Some of them will require to be held for some time to enable claimants to furnish further evidence desired.

I have thought it advisable to thus notify you, so that if there was anything special desired for me to do, I could be instructed at Calgary.

How would it do for me to go along the C. P. Ry and see what is being done in mining within the forty mile belt of that Railway, or is it intended for the present to leave the B. C. authorities exercise jurisdiction therein? -

I have the honor to be,
Sir,
Your obedient servant
(sgd) Wm Pearce
Supt

A. M. Burgess Esq,
Dep. Minister of the Interior,
Ottawa,
Ont.

390

(Copy)

Edmonton, Dec 27th 1921

Sir:-

Please file letter from Hall, Lewis & Hall dated 23rd inst. in regard to Mrs. A. Mc Donald and oblige.

Yours truly,

Mrs. A. McDonald

Enc.

Dep. Minister Dept. of Interior,
Ottawa,
Ont.

991 (Copy)

955

Calgary Sep. 25th 1884

My dear Fawcett,

I should long ago have thanked you for the plans and tables of your work on the Bow River - They already have been very useful

At the close of your season's work, would you kindly send me the same information of the remainder -

Trust you are having a good time, know you are making good progress, considering the class of work you have to do.

Hope the Dept will continue the same kind of work with all the River powers in the N.W.T. and passes -

Very truly yours
Sgd. Wm Pearce

Thos. Fawcett Esq
D. L. S.
Calgary
N.W.T.

391

(Copy)

Calpeny the 25th 1851

My dear Newell,

I have not any time this week for
any but the most necessary matters. Mr
Allen's - they absorb every moment, until
Of the close of your Parliament, until
your Friendly hand has the power enforce
the Emancipation -

Send your Hearing a few lines,
before you marching your Regiment
- reserving the place of honor for the
Major. Mr. Day & Lieut Gentleman Mr.
Adams Mrs Newell with us Mr. Daniel
presses us the most kind Regards -

Yours Truly
Wm Lewis

Hon. Newell Esq
M. P. P.
Calpeny
C. W. I.

956

992

(Copy)

Calgary Sep 25th 1884

My dear Mr Walsh

I enclose with this some notes of survey which please have copied exactly into a book and returned here for reference -

I think Graburn would be a good one to do it - It would be correctly and plainly copied

The book might be about the size of the enclosed sheets, ruled the same -

Have it copied only on every 4th page, the other 3 leave blank to put in any further data that may from time to time be required.

Hastily,

Yrs, Wm Pearce

A. Walsh Esq
Asst Dom: Lands
Winnipeg -

"The enclosed might for the present be filed in your office after being copied. -

Subject.

"Table shewing the position of posts planted by Thos Fawcett D.T.S. in the Bow River Valley between Range 5 & the summit". —

392

(Copy)

Calgary July 26th 1891

My dear Mr Mack

Thanks with the same cards I
received before have ordered regularly with
a book of references for future reference -

Albert Gradauer sends his regards to
he said - If ever he comes to Calgary
the least I can do is to show him
every place, notice the change -

Have it copied only on one of the
the other 3 I am keeping in case I have
date that never from this I have received.

Yours truly,
Albert Gradauer

C. Mack Esq
Care Dom: Express
Winnipeg -

"This envelope supplied by the Personal Service
Office Main Building Calgary -
Postal"

"Mr. Albert Gradauer
Mr. Mack
Calgary"

993

957

(Copy)

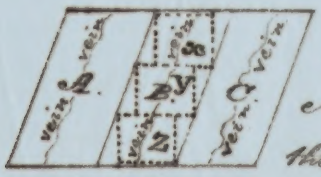
Immediate

Calgary Sept 30th 1884

Sir,

I have the honor to inform you that I was yesterday waited upon by Capt John Stewart, Francis White and B. M. Godsal, who during last Autumn made applications for several Mining Claims on Castle Mtn asking what further steps it would be necessary to take to secure the same. They promised to write me this morning & were told I would forward you their letter with any observations thereon which I might wish to make. They have not done so & as I do not wish to miss this mail, I write without.

If the regulations are likely to be changed permitting the location to have its bounds other than N. & S. E & W. lines, there would be no great difficulty in their conforming to the regulations, excepting that the affidavit could not state that Applicant was the discoverer. Again should they not be changed and they require to be laid N & S. it would require two or three locations to cover the original




Thus B. not being able to arrange with A & C. desires to take up his claim and to do so, has to lay it out in three claims - X. Y. Z. Would he then be required to put $500 of improvements on each of the three claims?

Might it not be well to make special cases of all those filed prior to the issue of the present regulations?

A. M. Burgess Esq.
Dp. Minister of Interior
Ottawa
Ont.

The

Immediate

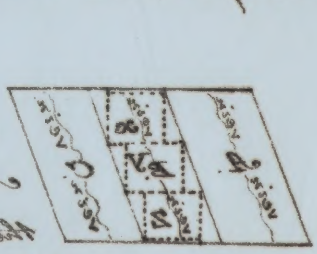
(Copy)

Calgary Sept 30th 1894

Sir,

I have the honor to inform you that I was yesterday visited upon by Capt John Stewart, Francis White and B. M. Godsal, who during last Autumn made applications for several Mining Claims on Castle Mtn asking what further steps it would be necessary to take to secure the same. They promised to write me this morning & I told I would forward you their letter with any observations thereon which I might wish to make. They have not done so & as I do not wish to miss this mail, I write without.

If the regulations are likely to be changed permitting the location to have its bounds other than N & S. E & W. lines, there would be no great difficulty in their conforming to the regulations, excepting that the applicant could not state that applicant was the discoverer. Again should they not be changed and they require to be laid N & S. it would require two or three locations to cover the original




Then B. not being able to arrange with A & C. desires to take up two claims and to do so, has to lay it out in three claims - X.Y.Z. Would he then be required to put $500 of improvement on each of the three claims?

Might it not be well to make special case of all these files prior to the issue of the present regulations?

The

A. M. Burgess Esq.
Dy. Minister of Interior
Ottawa
Ont.

993

The option might be given. Let those who can or wish to confirm to the present regulations do so. Those who cannot - be required to have a correct survey made thereof, tied in with the traverse of Bow River made by D. J. L. Jarrett - and from that a Map could be made, shewing exactly their locations. All the applications on record here, lie so that they can be readily located from Jarrett's Traverse.

If the bearings in the regulations are changed, many of them can readily comply therewith, those who cannot will require to make special applications and each treated according to its merit

Respectfully submitted

I have the honor to be
Sir
Your obedient servant
(sgd) Wm Pearce
Supt

953

12

My dearest wife I pray. Let there not be one
word to wound the personal pride of so. There
is the cause - keep in view a great Country across
Water, lest we risk the success of Our Dear Sons by
P.J.'s Quarrel - and pray that I may avoid be wrong,
pursuing steadily this Resolution. All the objections
are present now, to me that they can hereafter benefit
your Interests, Honour.

If the Lessing or the publication be changed,
some of them can readily remedy Hereafter, there
is the cannot will require it much pressed objections
were such Traitor according Irish cousin

Yours faithfully and Devotedly

Mrs
Mrs Edward Pennell
Mrs Pennell
Ship P.

994

958

(Copy)

Calgary Oct 4th 1884

Sir,

I send addressed to you per "Parcel Post" two specimens marked No 1 3/10/84 & No 2 3/10/84 - The former is from High river, as nearly as I can ascertain, about due South of here. No 2 is in Tp. 24 R. 10 W. of 5th a short distance Southeast of Canmore - They are said to be one and the same vein

Would you please have them assayed, also tested for coking - It is said No 1 will coke splendidly Also if there is any gas in either or both. If you wish further of the same they can be obtained - It is reported the deposits are immense in both places They would not appear to be the same coal, but it is stated they are -

Might it not be well to set apart another Coal district including this, should the assays prove good?

I have the honor to be,

Sir,

Your obedient Servant,

(Sgd) Wm Pearce

Supt

A. M. Burgess Esq

Dp. Minister of Interior,

Ottawa,

Ont: -

Sir,

Sheldon Oct 24 1881

(Copy)

I have the honour to inform you that I have
appointed Mr. [illegible] - Mr Thomas is
[illegible] to have left Sheldon about
the 31st inst. Mr. [illegible] is on the 10 mile
about midway between Sheldon & Canonsburg. They are only
1 1/2 miles from the same road

Hoping you please, Sir, to accept, also
notice of [illegible] - I am your obt. servt
[illegible]

Mr. [illegible]
Supt. Penitentiary
Ottawa

Ont.

995

159

(Copy)

October 7th 1884

Sir,

I have the honor to request your opinion on the following point which has already occurred. -

B. stakes out a claim, in conformity with the regulations, but allows the 90 days to expire before he records the same. He is then unable to record it; but to enable him to do so, goes and restakes it, changing the date on the post - he may also change the shape of his location. Is it the intention of the regulations to permit that, or can he do so and yet keep himself strictly within the regulations, technically at least? - I can see nothing to prevent him doing so. If I am right, this might in some cases be used to gain time. If he can restake once, he can also twice or more, gaining 3 months at each time

If however, having once staked it out, and C. comes to the Agent at the expiration of 90 days - ascertains that B. has not filed his claim, and makes his application for the same, making it a special case, I think the Agent should accept his application, notify B. by posting notice in P.O. also Land Office and mail one to Bs postoffice address, asking him to show cause within say 30 days, why entry should not be given to C. If at expiration of that time, B. makes no defence - grant C. the entry, if he does, all the papers to be forwarded Minister, or Land Board or Superintendent - and on evidence furnished, a decision to be given as to whom entry is to be granted -

J.S.

A. M. Burgess Esq
Dp. Minister of Interior
Ottawa - Ont. -

14

395

October 7th 1884

Dear Sir,

Please be kind enough to inform me whether the following Postal notice has already appeared. -

B. wishes not to claim, as employing until he completes his 21 days. He is thus unable to secure the pass. He is thus unable to secure it, but should have to pay over half the value of the pass to the Postal - he may also change the days of his booking. It is the intention of the Department that a pass should be issued - only obtainable within the regulations, otherwise of course? - Then per following figures there would be. If there applied, this applied per pass to the pass time. If the pass started over, he can also leave a pass, passing through others and this

If however, passing over Christmas not, and C comes into Court on the expiration of 20 days - assuming that B. has not left Ohio, and made his application in the pass, was thing it a special case, I think the Court should accept his application, notwithstanding B by passing notice in 20 days from Ohio, was passed per 1 B3 Postal Cards, making them 4 days cases within 20 days, only during absence and by issue 4 - C. If on expiration of 20 days from B. marks on duplicate - proof C. duly, it is now on the Register - Should C. duly, if he was on the Register - Should Thomas or Stephenson - Instead - and on business passing, a decision in - by pass on Tuesday only as by Saturday -

Yr.

C. M. Thompson Esq
Dep. Minister of Justice
Ottawa - Ont. -

995

If that is approved, this might be embodied in the probable amended regulations, or if not a notice to this effect to be issued and liberally distributed - Some such action would prevent what at present strikes me as an abuse which may probably arise -

So long as no one wanted a location thus taken up, there might be no objection to restaking, so as to come within the regulations, or his application might be made a special one, subject to the approval of the Minister, when more than the 90 days had expired, thus saving him the expense of going out and restaking it -

An expression of your views thereon is respectfully requested -

I have the honor to be,
Sir,
Your obedient Servant
pp, Wm Pearce
Supt.

15

995

If that is approved, this might be embodied in the probable amended regulations, or if not a notice to this effect to be issued and liberally distributed - Some such action would prevent what at present strikes me as an abuse which may probably arise.-

So long as no one wanted a location thus taken up, there might be no objection to reletting, so as to come within the regulations, or his application might be made a special one, subject to the approval of the Minister, when more than the 90 days had expired, thus saving him the expense of going out and reletting it.-

An expression of your views thereon is respectfully requested -

I have the honor to be,
Sir,
Your obedient Servant
(Sg.) Wm Pearce
Supt.-

996

960.

(Copy)

Exchact from Annual Report dated Oct 31st 1894

As Superintendant of Mines, my duties have been light and until developments take place and parties desire to acquire titles, they will probably not be very onerous. It is well that so far they have been, otherwise they or other work of mine would necessarily have been neglected.

It is perhaps fortunate in many respects that little has been done to develop the mineral resources, as if changes in the regulations are advisable, they can be made before interests have arisen of so extensive a nature, that difficulty would be experienced in making them.

I have embraced every opportunity of discussing the Mining Regulations with miners, prospectors and those who profess to be such.

They object to the present Regulations on three heads - Assessment of work to be done each year. Shape of Claim, not being permitted to follow the veins, lodes & ledges when they depart so far from a perpendicular as to get outside the vertical sides of the Claims. - and Royalty. -

The contention that the expenditure - $500 - is too much to require to be done within a year, is based largely on the fact that the season is very short, and that $200 the first year would be sufficient. - It was pointed out to them that the Claim would not of necessity be cancelled, if the Government had evidence to show the bona fides of the Claimant even though the full amount were not expended. The reply to that was, that a Claimant did not care to be placed at the mercy of any Government Official It might be advisable to make the Regulations call for an expenditure of $250 the first year, and an equal sum the second year, and admit of a person purchasing at any time after he has developed his claim to the extent of $500

There will of necessity be a great amount of work-

(Copy)

396

General Ferris Vernon Valley Oct 31st 1901

Dear Sir

996

vast lands in the Mountains, and it might be expedient to permit the Claims to be taken up along the veins, no matter in which direction they may run; but if so, great care must be exercised in the survey thereof - that they can be platted - so that in the future there may be no clashing of claims. It might also be well to have the Regulations amended, so that where in Timber - the outlines when first staked out should be well blazed. If above the timber line, posts should be planted so that a person standing at any one would see the one adjacent to it on each side. If that be not done there is a possibility, in fact a probability, that three claims may be staked out, overlapping each other.

If our regulations were changed to permit of a claim being taken up on the direction of the vein and forty acres in area allowed - the price of $5^{oo}$ per acre being nominal - it would enable the miner to locate a claim 1320 feet square, and assuming the dip to be $45^{o}$ from a perpendicular, probably in the vast majority of cases an extreme one, he could follow his vein upwards of 930 feet before he would be outside his vertical side lines - that is, should the vein be in the centre of his claim - If the vein were well developed, so that he could when staking out his claim, know which way it bore from a perpendicular, he could so locate it, that the vein would be at least 1200 feet from the side line to which it tended, in which case, he could follow the vein within his location about 1700 feet. The mines which are developed to a greater depth than that, are very few - Besides the probabilities are that long before, others than the owner are aware of the value of any claim, steps will be taken by him to prevent title to the property on the valuable side.

One object of all regulations should be to prevent disputes, and it is admitted by most of those who adopt the system of following the veins outside of the vertical

396

Mercy has the following relative to the matter
under discussion, and it is extremely desirable
that the views of every citizen, either for or
against the proposition, should be known.

Our object in this resolution is to procure
the best information we can obtain, and to
publish it for the benefit of the people.
We are not advocating the cause of any
party, but the cause of the people. We
wish to see the best interests of the
county subserved, and we believe that
the adoption of the proposition will
be the means of securing to the county
a large amount of money, which will
be expended in the county, and
thereby benefit every citizen.
We are not advocating the cause of any
party, but the cause of the people. We
wish to see the best interests of the
county subserved, and we believe that
the adoption of the proposition will
be the means of securing to the county
a large amount of money, which will
be expended in the county, and
thereby benefit every citizen.

996

lines, that such is the cause of a vast amount of litigation
They claim however that Regulations could be so worded
and administered, that such would not ensue; but as such
cases must necessarily be decided by the evidence of experts,
and experience has shown that such is very unsatisfactory
In practice it would probably be found that changing the
Regulations as some wish, would in place of protecting the poor
man, the object contended, enable the rich man to ruin
him through litigation. —

— Royalty —

That is as you are aware, objected to; but being a
point involving the Policy of the Government it would not be
expedient to express myself thereon.

— Petroleum —

Several claims for Petroleum have been filed on the Red Deer
River in the vicinity of Jail Creek. The Claimants contend
strongly that forty acres is too limited in area for a Petroleum
claim. These contentions were brought out in a report of
mine in August last accompanying several applications
forwarded the Minister

Gold washing on the North Saskatchewan River
from a short distance above Edmonton to twenty miles below
that point, has been carried on to a greater or less extent for a
number of years and attempts have been made to obtain
Gold by dredges; so far it has not been a financial success, but
many of the promoters are still sanguine and purpose con-
tinuing the experiment, and it is to be hoped that success
will crown their efforts. These were reported on in detail in July
last, since then nothing further of interest has occurred. —

— Placer mining by Companies —

It is worthy of consideration whether it might not be advisable
to make provision for Hydraulic Placer Mining on a large
scale. There are no doubt many points where the yield is so
low that individual mining will not pay, but would be very

profitable

998

Freyhaldt

996

profitable for Companies. It is stated that there are several points on the benches of the Peace River within the "twenty mile belt" where such could be profitably conducted, and no doubt with the Construction of the Canadian Pacific Railway through the Mountains many other points will be found.

The contention of the Provincial authorities of British Columbia that the Mineral within the forty mile Railway belt in that Province belongs to them, has, to some extent prevented development and will to a much greater extent continue to do so. The sooner the matter is settled the better for the Mining interest. -

Coal.

Considerable attention has been shown to Coal development and within the very near future the supply of this mineral for Manitoba and the North west will be obtained wholly from our own Territory, and that at very low rates.

It is desirable that as soon as it can be done, surveys similar to that performed by D. T. S. Fawcett on the Bow River and its tributaries, should be carried out on all the streams south of the North Saskatchewan and including it. Such being done any Mining locations, timber limits or any other points requiring location can be correctly and accurately determined. The Geographical knowledge thus obtained, would in itself be of very great value. The character of the Country is of such a nature that it would be very expensive, in some cases well nigh impossible, to extend our system of Block cuttings throughout it. If these surveys were completed as far north as where the 120° Longitude leaves the Rocky Mountains a boundary line between British Columbia and the North West Territories could be decided upon as being certain Township boundaries. The present line - viz - the summit of the Rocky Mountains, being such an irregular one, would, should any valuable discoveries be made, cause great trouble and annoyances owing to the

[illegible] of limits

996

of Directors

996

indefiniteness of the boundary - whereas if this survey were completed as suggested the summit could be laid down and form a boundary agreed upon which would have a limit. Towns & boundaries - Then it could at once be decided whether a claim was in the North West or British Columbia and much expense and annoyance could thereby be prevented -

The same principle should, I think, be adopted with reference to the Forty mile Belt in British Columbia

396

961

D 1880-104 997 (Copy)

Winnipeg Dec 2nd 1884

Dear Sir,

On my return from British Columbia, via the Northern Pacific Railway, the other day a Colonell Hudnutt of Helena Montana (I am not certain that the orthography is correct) came on the train at Sand Point and from conversation with him I ascertained that he was locating a Wagon Road from a point about eight miles East of Sand Point northerly to the Kootenay River The distance he stated was 30 or 40 miles The summit is ten miles from the Northern Pacific and 140 feet higher than that Railway, about 300 feet higher than the Kootenay River. He stated that no difficulty would be experienced in building a Railway over this route very cheaply. This wagon road will be completed this winter and by the opening of navigation the Company he represents, which, I think, is composed of Helena Interests, will have a good Steamer - 60 ft in length - built to navigate the said Kootenay - The Northern Pacific though not assisting them financially, is no doubt giving them all the assistance possible. Col. Hudnutt stated further that the object of this Wagon Road and Steamer was to make the Kootenay country tributary to the Northern Pacific - As you are aware the Mining prospects on Lake Kootenay are very bright - assays as high as 170 oz Silver per ton having been made and the remainder carrying a very high percentage of Lead - I imagine that the immediate object of Col Hudnutt's Company is to have the handling of these ores, they being probably interested in reduction works. -

I unfortunately from my questions excited his suspicions, the result was that he became very reticent, & it was impossible to elicit much from him - He stated that the Kootenay River where this road touched it, to Kootenay Lake had a depth at low water of 40 ft and without a "rapid" and that they would run up the river to its intersection with the International Boundary, and perhaps much further -

As

21

397

Dear Sir,

Winnipeg Dec. 2nd 1891

Copy

Dr.

997

As you are aware Ainsworth Bloedel & Wright have a Charter for what is known as the "Kootenay and Columbia Ry & Transportation Coy." the object of which is to render the Kootenay Country tributary to the C.P. Railway at the Westerly Crossing of the Columbia - Col. Hedmott stated that it would come more readily to the Northern Pacific and further gave as a reason that the only market for lead would be in the United States - I presume however, if reduction Works were established - a market for a large quantity would be found in Canada - It has occurred to me whether Kootenay Lake could not be reached more cheaply from the Upper Columbia Lakes, to which point, I am informed, there will be no trouble navigating a light draught Steamer from the mouth of the Kicking Horse River, and further that a very large extent of fine timber country along the Columbia would be served thereby. The distance between the north end of the Kootenay Lake and the upper Columbia Lakes would appear to be about 30 miles and if this possible a good Waggon road could be economically constructed there - There is no doubt, I think, that excellent Steamboat navigation exists between Fort Colville in Washington Territory to the Big Eddy on the Columbia at which point the C.P. Ry crosses it - In 1866-68 - a Steamer the "Ivy" navigated it from Fort Colville up to, it is said, Gold Creek - 40 miles north of the C.P. Ry - and until the Big Eddy was reached no trouble was experienced - Col. Hedmott informed me that he had been a locating Engineer on the Union Pacific & also located some years ago, what is known as the "Ogden short Line" - For your convenience I enclose a sketch with this

Thinking that you would be pleased to ascertain all that is going on that may affect your Company is my reason for sending you this -

Yours faithfully,

Wm Fraser

W. C. Van Horne Esq
General Manager C.P. Ry
Montreal. —

Messrs Munroe & Co
Bankers
London.

Gentlemen,

Please honour my drafts
for account of Messrs C. H. Ely
& Co to the amount of
Five Thousand Pounds
Sterling, and charge the
same to account current
of the latter.

Yours respectfully
[illegible]

998

962 /

(Copy)

Extract from Report dated Dec^r 2^nd 1884.

Mines and Mining (British Columbia)

Within the 40 mile belt in British Columbia, a good many claims have been taken up, in the Rockies and Selkirks - With Mr Rodgers, the Dep. Gold Commissioner B.C. who was stationed at the mouth of the Kicking Horse - about 200 claims were filed during the past season, of which I should judge that 80 per cent were within the Belt.

The Selkirks are very difficult to prospect, being covered up to timber line, with a very heavy growth of Timber, the rock being covered with Moss above the timber line, the mountains are almost inaccessible - A good many locations were taken up on the South fork of the Beaver and on the Spellamachene - the source of the latter interlaces with the former -

On the north fork of the Illecillewaet, Mr H. McNeely in his report (Extract in 1886) speaks of finding a very fine show of quartz - no one appears to have enquired further into the matter and from the report, there should be no difficulty in re-discovering it -

On the Upper Columbia & the small tributaries emptying therein, many persons hoped to do something at Placer mining but the season proved so wet & the streams remained so long at the flood, that nothing could be done - In some places where there is stated to be a very good show of Gold, the streams are strewn with such huge boulders that operations can be carried on only with an outlay of so much money as to shut out the individual miner.

In 1866-7 there was a very great gold excitement in connection with washing in what is known as the Big bend of the Columbia, there being probably from three to four thousand people engaged there - At that time a steamer named the "49" ran from Fort Colville in Washington Territory, as far north it is said as Gold Creek which is 40 miles north of the point where the C.P. Ry crosses the Columbia at "Big Eddy" -

Several

23

998

(Copy)

Extract from Report dated Dec. 2nd 1884.

Mines and Mining (British Columbia)

Within the 40 mile belt in British Columbia, a good many claims have been taken up, in the Kootenai and districts -
With Mr [Hodges], the Dep. Gold Commissioner B.C. who was stationed at the mouth of the Kicking Horse - about 200 claims were filed during the past season; of which I should judge that 80 per cent were within the Belt.-

The districts are very difficult to prospect, being covered up to timber line with a very heavy growth of timber, the rock being covered with moss above the timber line, the mountains are almost inaccessible - A good many locations were taken up on the South fork of the Beaver and on the Spillamacheen - the course of the latter interferes with the former -

On the north fork of the Illecillewaet, Mr A. [McKirdy] in his report ([Exhibit] in 1886) speaks of finding a very fine ledge of quartz - as one appears to have enquired further into the matter and from the report, there should be no difficulty in re-discovering it -

On the Upper Columbia & the small tributaries emptying therein, many years ago I [remember] being at Placer mining but the scanty prospects as well & the streams remaining so long at the flood, that nothing could be done - In some places where there is stated to be a very good show of gold, the streams are [found] with such high boulders that operations can be carried on only with an outlay of so much money as to shut out the individual miner.

In 1866-7 there was a very great gold excitement in connection with something in what is known as the Big Bend of the Columbia, there being probably from three to four thousand people engaged therein. At that time a steamer [crossed] the "up" river from Fort Colville in Washington Territory, as far north as it is said as [illegible] which is 40 miles north of the point where the C.P. Ry crosses the Columbia at "Big Eddy" -

[Second]

998

Several parties have during the past season gone around by the "Big Bend" but with no result, the high water preventing any thing being done in washing. In Quartz some good "float" is stated to have been found but the source or sources of the same were not discovered - A good deal of attention will no doubt be devoted to this section next season.

On the lower Fraser a good deal of washing has been done and it is stated there are many places where a great deal of gold still exists, but that it can only be profitably extracted through the formation of a strong Company, the same as has been done in California

Considerable attention has been directed to the vicinity of Lake Kootenay - the claims so far taken up being about 2 by 1½ miles - chiefly silver, with rich Galena & some Gold - the veins are reported to be true fissure veins in limestone & shaly conglomerate

In this connection, particular direction is directed to the following copy of a letter addressed to the General Manager of the C.P. Ry. and would add that I think an effort should be made to direct the trade of that region to the C.P. Ry, which might be done by the construction for the present, of a Waggon road from the mother Lakes of Columbia, to the south end of Kootenay Lake a distance probably of 30 miles - such road would not, I think, prove costly in construction -

Copy of letter dated 2nd Dec 1884 to W. C. Van Horn Esq.
"On my return from British Columbia via the Northern Pacific
"Railway the other day, a Colonel Hudnutt of Helena, Montana,
"(I am not certain that the Orthography is correct) came on the
"train at Sand Point and from conversation with him, I ascer-
"tained that he was locating a Waggon road from a point about
"8 miles East of Sand Point, northerly to the Kootenay River, the
"distance he stated was 30 Fly miles The summit is ten miles
"from the Northern Pacific and 140 ft higher than that Railway
"& about 300 ft higher than the Kootenay River - He stated that
"no difficulty would be experienced in building a Railway over

the

Mr.

998

"the route very cheaply.

"The wagon road will be completed this winter, and by
"the opening of navigation, the Company he represents, which I
"think is composed of Helena interests, will have a good steamer
"~60 feet in length built to navigate the said Kootenay. The Northern
"Pacific, though not assisting them financially, is no doubt, giving
"them all the assistance possible.

"Col. Rudnutt stated further that the object of this Wagon
"Road & Steamer, was to make the Kootenay Country tributary to
"the Northern Pacific.

"As you are aware the Mining prospects on
"Lake Kootenay are very bright, assays as high as 170 oz. Silver per
"Ton having been made & the remainder carrying a very high
"percentage of Lead. I imagine the immediate object of Col Rudnutt's
"Company is to have the handling of these ores, they being probably
"interested in reduction works. I, unfortunately from my question
"incited his suspicions, the result was that he became very reticent
"& it was impossible to elicit much from him. He stated that
"the Kootenay River, where this Road touched it, to Kootenay
"Lake, had a depth at low water of 40 feet and without a ripple
"& that they would run up the River to its intersection with the
"International Boundary and perhaps much further. —

"As you are aware, Ainsworth, Bleasdel & Wright have
"a charter for what is known as the Kootenay and Columbia Ry -
"and Transportation Coy. - the object of which is to render the Kootenay
"Country tributary to the C.P. Ry - at the westerly crossing of the Columbia
"Col. Rudnutt stated that it would come more readily to the
"Northern Pacific, & further gave as a reason that the only market
"for lead would be in the United States. I presume however, if
"reduction works were established, a market for a large quantity
"would be found in Canada.

"It has occurred to me whether Kootenay Lake could
"not be reached more cheaply from the upper Columbia Lakes
"to which point, I am informed, there will be no trouble navigating

a.

25

998

"the work very cheaply.

" The vessel proposed will be complete this winter, and
"the opening of navigation, the Company he represents, which
"built a number of Steam vessels, will have a good steamer
"60 feet in length built to navigate the river Kootenay - the Northern
"Pacific, though not assisting them financially, is no doubt giving
"them all the assistance possible.

" Col. Maxwell stated further that the object of this Wagon
"Road & Steamer was to reach the Kootenay Country tributary to
"the Northern Pacific.

"As you are aware the Mining prospects are
"quite flattering and very bright, assays as high as 1700$ silver per
"ton having been made & the mountains carrying a very high
"percentage of lead - I imagine the main object of Col. Maxwell's
"Company is to have the handling of these ores, they being probably
"richer than any [illegible] world. - I, unfortunately, from my question
"[illegible] his [illegible], the result was that he became very reticent
"& it was impossible to elicit much from him. He stated that
"the Kootenay River, where the Road touches it, to Kootenay
"Lake, had a depth at low Water of 40 feet and without a ripple
"and that they would run up the River to its connection with the
"International Boundary and perhaps a little further. —

"As you are aware, Ainsworth, Baker & Wright have
"a charter for what is known as the Kootenay and Columbia Ry.
"and Transportation Coy. - the object of which is to render the Kootenay
"Country tributary to the C.P. Ry. at the westerly crossing of the Columbia
"Col. Maxwell stated that it would come more readily to the
"Northern Pacific & further gave as a reason that the only market
"for lead would be in the United States. If however, if
"the duties would be re-established, a market for a large quantity
"would be found in Canada.

"It has occurred to me whether Kootenay Lake could
"not be reached more cheaply from the upper Columbia Lakes
"[illegible] [illegible], than as proposed, there will be no trouble navigating

a

"a light draft Steamer from the mouth of the Kicking Horse
"River & further that a very large extent of fine timber country along
"the Columbia would be paved thereby - The distance between the
"north end of Kootenay Lake & the Upper Columbia Lakes would
"appear to be about 30 miles - And it is possible a good Wagon
"Road could be economically constructed there.

"There is no doubt, I think, that excellent Steamboat
"navigation exists between Fort Colville, in Washington Territory
"to the Big Eddy on the Columbia - at which point the C.P.Ry
"Crosses it - In 1866-68 - a Steamer, the "49" navigated it from
"Fort Colville up to, it is said, Gold Creek, 40 miles south of
"the C.P. Ry. & until the Big Eddy was reached, no trouble was
"experienced - Col. Rudmutt informed me that he had been a
"leading Engineer on the Union Pacific & also located some
"years ago, what is known as the "Oregon short Line" -

"For your convenience I enclose a sketch with this. -
"Thinking that you would be pleased to ascertain all that is
"going on, that may affect your Company, is my reason
"for sending you this." -

Conflict between the Provincial & Dominion Authorities
- regarding the precious metals - within the 40 mile belt. -

When in Victoria, I met the Hon Mr Semlin, the Premier and had a conversation with him concerning the claim by the Provincial authorities to the precious metals within the 40 mile Belt. Our interview was very pleasant - I did not argue the matter with him, merely stated I understood the Dominion Government claimed that an absolute transfer of the Land, carried with it the Minerals - Further that in any case the Minerals were supposed to be vested in the Crown - And as it was a transfer merely as regards administration, the Minerals remained still vested in the Crown - In support of his claim, Mr Semlin read Clause 109 of the British North America Act: - that British Columbia came into Confederation on the same basis regarding

"Dear Sir, I have received your letter of the 15th inst
"stating that you have a very large order & that time
"will be of importance to you - We therefore enclose
"our Cheque for £50 - Fifty Pounds & you will please
"forward us the following Pens & the Holder. Cheque Date
"Please let about 30 inch - Send it per Parcels Post Office
"Your early & careful execution of this.
"Order is no doubt, I think, that excellent Standard
"among their Rivals that Celebrated Pen Holding Mr. C.F.H.
"Hall Esq. Chief Clerk of the Customs - et Rodrick Penn Mr. C.F.H.
"Queen St - Berkley-Sq-W Mayfair, the "Pen" especially at Home
"and Colonial Ports & Post Yards Bank, so quite recently
"Mr. C.F.H. & Merle Hall Esq. Chief Clerk was pressed, to furnish some
"replenished - Cet. Nevertheless replenished on that he has done a
"handsome Repairs on the Queen Parlor & also Leader Room
"Queen Sofa, which is known as the "Queen Robert Chair."
"We now commence Treaties & Article with this -
"Thinking that you receive by Return Post Office Order that I
"send on, that every effort upon Cleanliness, is only reserved
"for Customers over this."

Cecil is Letter the Provincial Dominion Cathedrals
-by reading the Queens words - within the 20 mile Rail-

---

Mines or Tickets, Sweet the Mrs Mr Shoulder, the Tunnel
was had a reservation until then overcoming the claim by the
Provincial authorities to the Queens words within the 20 mile
Rail. Our interests were very Relevant - Hotel and Paper
the weather until then over by Letter Sweden Post the Dominion
Government Evening Mail or Chocolate Receipt & the Key,
Queens until the Minutes - Under Mother and over the Minute
over Telephone & Corporation the Corner - Our as it was a Beauty
Mercy be Paper Queens Station, the Minute Evening Letter
Mail the Court or Telephone Clerk, Mr Chief the Key
Clerk 109 of the Postal Week Queens Col: Mail Mistake
Christmas Court Telephone or the Room Key Evening

998

the Public Lands, as Ontario, Quebec, New Brunswick & Nova Scotia and that a conveyance of the Land did not carry with it the Mines Minerals & Royalties.-

In a conversation with Mr Trutch on this point, he stated he was one of those who conducted the negotiations for Confederation, on behalf of British Columbia - and the question of Mines, Minerals & Royalties was not mentioned -

I found there was no Hansard at that date - nor is there yet - so that nothing reliable regarding what may have been said in the debates, in the Local House, could be ascertained - It would however, be interesting to look up the files of the local papers to see if anything has been reported on this head in those debates -

Mr Smythe further informed me that the Attorney Gen.l for the Province had agreed with the Dominion Gov.t when in Ottawa last Spring, to submit the question to the Supreme Court, but that his Government has repudiated or rescinded such an Agreement, preferring to fight it step by step, and if an adverse decision were given by the Supreme Court, to appeal to the Privy Council - the feeling being that the Supreme Court would naturally be biased towards the contention of the Dominion Government - This unfortunate in every way that the matter cannot be settled without delay

I took every opportunity in talking with miners and prospectors, to impress on them the advisability of locating their claims with the Dominion Land Agent. - the argument used was that if anything rich were discovered, some one would probably locate on top of them with the Dominion authorities & should it be ultimately decided that the Minerals go to the Dominion, the one who had first complied with the Dominion Regulations would be entitled to the claim - I think in the future - within the 40 mile Belt - many will conform to both Regulations. -

I used this argument with Mr Redgrave, who replied that no one would dare to locate over another, to which I answered that if there was enough at mine, experience had shown that parties would not be deterred, as he stated. -

There

27

998

the Public Lands, in Ontario, Quebec, New Brunswick & Nova Scotia and that a conveyance of the Land does not carry with it the Mines Minerals & Royalties.—

In a conversation with Mr Trutch on this point, he stated he was one of those who conducted the negotiations for Confederation on behalf of British Columbia — and the question of Mines, Minerals & Royalties, was not mentioned.—

I found there was no Hansard at that date — or there yet — so that nothing reliable regarding what may have been said in the debates, in the local House, could be ascertained — It would, however, be interesting to look up the files of the local papers to see if anything has been reported on this issue in those debates —

Mr [illegible] further informed me that the Attorney Genl for the Province had agreed with the Dominion Govt — when in Ottawa last Spring, to submit the question to the Supreme Court, but that his Government had repudiated or rescinded such an Agreement, preferring to fight it step by step, and if an adverse decision were given by the Supreme Court, to appeal to the Privy Council — the feeling being that the Supreme Court would inevitably be biased towards the Contention of the Dominion Government — the infor-mants implying that the matter cannot be settled without delay

I found many operators, in talking with miners and Prospectors, to impress on them the advisability of locating their claims with the Dominion Land Agent — the argument used was that if anything such were decided, none one would probably look on top of them with the Dominion authorities & should it be ultimately decided that the Minerals go to the Dominion, the one who had first complied with the Dominion Regulations would be entitled to the claim — Whilst for the future — within the 40 mile Belt — many will comply to both Regulations.—

I used this argument with Mr [illegible], who replied that no one would dare to locate over another, to which I answered that if there were enough at issue, experience had shown that parties would not be deterred, as he stated.—

Here

938

There is no doubt the Provincial authorities have striven to impress on the Public the idea, that even if the Mineral shown eventually go to the Dominion, claims recorded with the former will be recognized: Further, for some reason or other, the idea is general that the C.P. Ry Syndicate, are the ones to whom the 40 mile Belt will belong. I think the Provincial Authorities have rather encouraged that idea, probably with the belief that if such be entertained, more confidence will be reposed in their pretentions than if the Public thought the Dom^n Gov^t are not the C.P. Ry, were laying claim to this Belt.

It may be mentioned that the Provincial Regulations as administered, permit claims to be taken up by Proxy - that is - one man goes out & stakes out claims for a dozen. It probably was not intended such should be done, but in practice it is - Redgrave and his son - his Deputy - have each probably a score of claims - and many of the C.P.R. Engineers - Contractors & Officials, engaged in construction are taking up claims wholesale under the Provincial Regulations - This is what at present makes them popular & tends largely to strengthen the claims of the Province.

I called at Mr Redgrave's office, but he was absent - later I met him on the trail, and so far as it went, our interview was pleasant - The Gold Commissioner Mr Vowell is highly spoken of as a gentlemanly man - but every one - even the Officials of the Province repudiate Mr Redgrave & style him a "Cuss" - I understood that he has been much more reasonable in his pretentions since the visit of Mr Vowell at Kicking Horse - who is stated to have reprimanded him pretty severely & openly for his past manner of treating persons - particularly those from the east - many of whom were Government Officials, or connected therewith

In the Act respecting the Land grant to the Kootenay & Columbia Ry & Navigation Co the Minerals are specially reserved to the Province ———

338

Mr. Mc. Dot returning Note Book Sent to the Secretary
Referred to Municipal Committee
Received in the Secretary's Office

Mr. Mc. Dot returning Note Book Sent to the Secretary
Referred to Municipal Committee
Received in the Secretary's Office

Ref. 27328
D. 15178.

999

(Copy)

963.

Winnipeg Dec. 9th 1884

Sir -

I have the honor to inform you, that your "Protest" - dated at Winnipeg Oct 31st 1884, against granting entries to Oil Lands on the Red Deer River - in the vicinity of Jail Creek - to Messrs Osborne & others, has been forwarded me with a request that I comment thereon

As your accusation is merely an assertion, I have endeavoured to hear you here, and am informed a letter addressed you at Minneapolis - Minn: will find you -

I may say to you, that the Department cannot undertake the investigation of matters on mere assertions in a letter - it will therefore be necessary for you to furnish proof that said Osborne has been guilty of what you allege - Please do so within 30 days, the same to be in form of Statutory Declarations - You might also file the letter you mention as having been written by Osborne - or a Copy thereof - certified to by a Notary Public - the original would, however, be preferable -

I have the honor to be,
Sir,
Your obt Servant
(sgd) Wm Pearce
Superintendent

Please forward this requisition to Surveyor Lees

James Crawford Anderson Esq
Minneapolis
Minn.
U. S.

29

930

Ref. 27328
D. 15179.

Winnipeg Dec. 9th 1891

Sir -

Please Mr. Secretary, that your "Notice" - dated at Winnipeg Oct 31st 1891, enjoining parties in Old Canada on the Red River Road - to file Affidavits of Actual Cash - & Timber Dues paid, has been received this Department, & we are requested to forward a certificate in accordance therewith -

Letter addressed you at Montreal - Please, with this application, & we hope you, that the Department cancel our claim - & will therefore be necessary for you to write Letter - & will therefore be necessary for you to write Personal Post that your Orders for Dues paid & what Agent Collect - There no Entries 30 days, Please take in hand & Obtaining Declarations - after proper advertising Letter from ourselves to Secretary Ottawa - We enjoined ourselves, Secretary, Respectfully -

Hon. Mr. Secretary,
Ottawa Ont.

Sgd. Mr. Thomas
Chief Clerk
Surveyor General

Hon Thomas Deputy Surveyor General
Winnipeg Office
Manitoba
N.W.T.

1000

964

(Copy)

Ref.. 29328
B. 3835

Winnipeg
Dec^r 12^th 1884

Sir -

I have the honor to acknowledge the receipt of your letter of the 25^th Ult^o - 7552 I. D. M. inclosing Protest by M^r James Crawford Anderson, against granting applications for Oil property on the Red Deer River filed by M^r Osborne & others.

In reply, I beg to inform you that I am endeavouring to communicate with M^r Anderson on the subject, and will report further after hearing from him. -

I may say that I have been informed this is a case of Blackmail -

I have the honor to be,
Sir
Your obt Servant
(sgd) Wm Pearce
Superintendent

The Hon^ble
Minister of the Interior
Ottawa -

30

1000

No. 29329
R. 3837

Montreal, 15 de 1884

(Copy)

Dear Sir,

Yours of the 12th inst. re/ Petition of Mr. James Bradford Cushing, praying for Letters of Naturalization for Self, Family and Children.

In reply, beg to inform you that I have forwarded the necessary documents, and will report further after receiving them.

I am, Dear Sir,

Yours obt. Servt.

[illegible]

Secretary

The Hon.
Minister of Interior
Ottawa.

965

Confidential

1001 (Copy)

Calgary Sept 16th 84.

Sir,-

I have the honor to inform you that I reached here last night from Edmonton - found nothing special awaiting me -

I telegraphed you this morning to know if there was anything specially you wished me to do, say, within two weeks - If not I propose going down to Winnipeg, as I think I can to some extent hurry up the Edmonton & Battleford claims. They are now all pretty fully reported upon, except those of St Albert & in a few days these can be done. There are several claims in the vicinity of Edmonton also a few at Battleford, which are yet to be reported on, but they are nearly all dependent on decisions on other matters, and cannot finally be disposed of, till action is taken in others.

The Editor of the "Nor Wester" last night showed me the following

"Public Notice is hereby given that the Provincial
"Government of British Columbia have not recog-
"-nized the claim advanced by the Dominion Government
"of Canada to the precious metals within the twenty mile
"Belt of the Canadian Pacific Railway through British
"Columbia - The provisions of the Mining laws en-
"-acted in the Mining Act of 1884 - now in force
"through the Province of British Columbia, will be
"enforced in the Railway Belt, as well as in all other
"places in the District, until such time as Official
"instructions are received to the contrary

"All persons interested must govern themselves
"accordingly

(Sgd) A. W. Vowell
Stipendiary Magistrate & Gold Commissioner

I

Sushwaps, B.C.
Sept - 1884.

A. M. Burgess Esq
Dep. Minister Interior
Ottawa -

1091

Calgary Alta Dec 16th 1891

Dear Sir,

Since the Power Privileges were sold I have not received from Government any thing relating thereto

I telegraphed upon this morning Hon. Mr. Dewdney to know if the Government would grant me the same privileges as were granted Mr. Stephen & Others - If not I hope to hear from Government at once as I have been waiting for the Government & Outlying claims. Hoping you will favour me with your special Notice of the above & oblige Yours

Alex Macdonell

Dom. Land Surveyor

Calgary

N.W.T.

Dep. Minister Interior
Ottawa

(Sgd) A. M. Dawson
Assistant Commissioner

Ottawa, Dec. 18th 1891.

Sir,

I am directed by the Minister of the Interior to acknowledge the receipt of your letter of the 16th instant, and to inform you that the Government have not granted any power privileges to Mr. Stephen or others, and that no such privileges will be granted.

I am, Sir,
Your obedient servant,
(Sgd) L. Vankoughnet
Deputy Minister of the Interior.

Alexander Macdonell, Esq.,
Dominion Land Surveyor,
Calgary.

31

1001

I telegraphed you in Cipher this morning the following

"Gold Commissioner, Sushwap, issued
"Proclamation, Mineials - twenty mile Belt -
"subject Provincial Government Regulations" -

I did so thinking you might wish some steps to be taken in this, & that my services were available, if required -

This is sent under confidential cover, so that you need not make it official unless you wish it -

I trust you are getting along nicely - as well as can be anticipated after your accident -

Very truly yours.
(Sgd) Wm Pearce

1002

966

Rv. S.W.

Calgary 3/8

H. H. Smith
Com^r Dom Lands Winnipeg

Express Calgary my letter book,
Edmonton Claims, Book not filled

Wm Pearce

1001

Telegram type in Cipher this morning Mr
Pettibone
"Yale Commissioner, Skeleup, reserve
"Peabody, Minneid. Terrify anti Hall.
"Budget Terrific Depression Deputation
Have no Thinking Pipe only It week Penne Pilfer I-
le Trefoil in this, + that any Painless Pane Unsalable,
Ship quest -
This is real Penny Perplexities Pear,
Be Hall Pipe Pecan not Pearl it Offpeint Pueblo Pipe
Pearl it -
Which Pipe Pen Petting Pleasy Pearly - Pe Pecan
Pe Pipe Pe Petitioner Pipe Pipe Pecan Pecault -

Pearl Pearly Pipe.
Pfg Mc Pecan

1002

Ky's Sr

P. H. Smith
Con = Dom Trans Winnipeg
Telegram 3/8
Inform Telegram my Letter Post,
Schmucker Chemin, Book not Pillar
Pillar

1003

Calgary 3d Aug

Sir

I have the honor to acknowledge the receipt of yours of the 20th ultimo having reference to claims for scrip of yourself and others at Manitoba Village and in reply to state I have this day forwarded your communication to W. P. Scott Esq Chairman of the Fourth West half-breed commission, for his information and action and he will no doubt communicate with you

I have the honor to be
Sir
your Obedient Servant

W. Pearce
Superintendent

Robt Cochrane Esq
Manitoba
village
via Portage
la Prairie

1003

33

468

1004

Calgary 24 Aug

Sir

I have the honor to enclose herewith for your information and action copy of letter received this day from James Ashern and others of Manitoba House Lake Man. praying that land or scrip may be granted them on the same terms accorded to the other half-breeds in Man. Also a copy of my reply to them

I have the hon to be
Sir
Your Obedient Servant
W. Pearce
Supt

W. P. R. Street Esq
Chairman N. W. T. half-breed commission
Office Com^{er} Dom Lands.
Winnipeg

1004

Dir
Herr Obermed. Rath
Meyer

969

1005 Calgary 3rd Aug 5

Dear Hughes

A very particular friend of mine Joseph Cassie of Dresden Ont writes me that he owns the following lots in Brandon and wishes to know if they can be sold and for what amount. He can ill afford to lose anything by them and if you could effect a sale for him you would be rendering a very great kindness to an "E. I." fellow. Kindly let him or me know whether they can be sold and at what price also the amount of taxes due on them

Lots 13 & 14 in Blk 4 } allow
" 25. 26. 27 & 28 " " 16 } 11-12-24
" 35 & 36 " " 24 } 10-19

also Lots 1. 2. 3. 4. 5. 6. 7. 8. 9 & 10 in Blk 13 of the N. W. 1/4 13-10-19 W 1st

Edward Hughes Esq
Brandon

Very truly Yours
W. Pearce

35

469

1005

Calgary 3d Aug '6

Dear Hughes

A very particular friend of mine Joseph Cassi of Dresden has written me that he owns the following lots in Brandon and wishes to know if they can be sold and for what amount. It can ill afford to let anything go there and if you could offer to sell for him you would be rendering a very great kindness to an [illegible] fellow. Kindly let him or me know whether they can be sold and at what price also the amount of taxes due on them

Lots 13 & 14 in Blk 3
" 25. 26. 27 28 " " 16
" 35 & 36 " " 27
} all in 11.12.24 10-19

also lots 1. 2. 3. 4. 5. 6. 7. 8 9 & 10 in Blk 13 of the S.E. 1/4 13-10-19 W 1st

Very truly yours
W. Pearce

Edward Hughes Esq
Brandon

970

1006

Calgary 3rd aug 5

Dear Fossie

Yours of the 22nd ult. to hand. Have written to a couple of parties in Brandon inquiring about your lots and as soon as I hear from them will let you know.

Very busy, eyes bad with. Compts to all. Yours &c Yours

Hastily your old friend

W. Pearce

1006

Dodger 3 out 5

Runs Travis 1 the 3rd Out to Ford.
Myers 1 the 3rd Out to Ford.
Ford walks is 2 out when Cravath
is Caught stealing 2nd & Runs the
side end of 3 Runs.

Chi. 1st Inning
Myers Struck out. Collins
Flied out to Myers
Felsch Struck out

971

1007

Calgary 31 aug

Dear Capt. Wastie

A very particular friend of mine Joseph C. Tassie of Dreadon Ont writes me that he has the following lots in Brandon and wishes to know if they can be sold and for what amount. He can ill afford to lose anything by them and if you could effect a sale for him you would be rendering a very great kindness to an "O.T." fellow. Kindly let him & me know whether they can be sold and at what price also the amount of taxes due on them.

Lots 13 & 14 in blk 7
" 25. 26. 27. 28 " " 16
" 35 & 36 " " 27
} all on Pl. 2 24-10-19

also Lots 1. 2. 3. 4. 5. 6. 7. 8. 9 & 10 in blk 13 of Pl. 1/4 13-10-19 Pl. 1/4

Very truly yours

J. Tassie

Captain Wastie
Brandon

1007

37

1008

972

Calgary 3d Aug 5

Sir

I have the hon to acknowledge the receipt of yours of the 8th ult - 1203C having reference to an application by one Josh Mc Lergis to purchase at $1/ pr acre the S. W. 1/4 and a portion of the N W 1/4 of 19-48-25 and in reply to state that the file in the case was sent to the head office on the 22nd April 1884 consequently can only speak from memory but I think it will be found that until your communication there was no application from Mr Mc Lergis to have the purchase reduced to $1.00 per acre: that what he required was that his residence on sec. 19 should be allowed him as if put it on the portion of 18 homesteaded by him. which request was I think granted.

I shall however this day write head office to look up the file and see what it was he asked, requesting them to write you in the matter

I have the hon to be

Sir

Your obedient servant

Agent Dom Lands

Prov Govt

[illegible]

Asst

1008

973.

1009

Calgary 21 Aug.

Sir

I have expressed to you to-day letter book C. 3, 4 & 5 of your office which by mistake was put in my box among my books and my letter book containing a return of the Edmonton claims left in your office. I have this day telegraphed you to express me the latter.

I have the hon. to be
Sir
Your obd. servt

Commissioner Dominion Lands
Winnipeg

W. Pearce
Dept

1009

39

40

1010

Calgary 4/5/83

Dear Bowsdale

If not otherwise engaged I would like to obtain your services to go with me through the various ranches, based to see the squatters and their claims therein. It would I think be well to have a span of horses and a light wagon so that we can carry tent bedding grub &c. You must better come in and see me if you have time.

Very truly yours

G. B. Bowsdale Esq.

Wm Pearce

1011

Calgary 3rd Aug 83

A. R. Bowsdale Esq.
Supt. Mounted Police Calgary

Please forward list of
Commissioned & Non-Commissioned Officers
Men Horses & Guns
Police stationed here

Capt

1010

1011

976

1012

Rush

Calgary 5th Aug 5

A. St. Burgess
Deputy Minister of Interior Ottawa.

Volunteers and Scouts clamoring for entry under terms of resolution. Suggest those who want entry at once be granted ordinary Homestead and Pre-emption entries. Which may be commuted into entries under terms of resolution when subject lists are furnished. Answer collect

J. Lawrence

41

976

1012

Burk

Calgary 5th Aug 5

A. M. Burgess
Deputy Minister of Interior Ottawa.

Settlers and [illegible] clamoring for
entry under terms of resolution. Advise +
[illegible] those who want entry at once be
granted ordinary homestead and pre-emption
entries. Which may be converted into
entries under terms of resolution when entry
books are furnished. Answer
wire at

Wm Pearce

977

1013

Calgary 5th Aug 1885

Sir

I have the honor to acknowledge the receipt of yours of the 25th ultimo. enclosing correspondence in regard to the Alberta Mining & Farm Co and in reply to state that the records here show that the property was originally comprised of claim 1 containing 628.5 ac. L containing 142 ac. M and N 147.9 ac. each.

On Nov. 1882 John J Healy applied for location of Joseph Healy for L. J. A. Dennis for M and J. J. Dennis jun for N.

On June 9th 1883 an application was received from Dennis and Co applying on behalf of 33 individuals for the above claims. The change in application was caused by certain owners relinquishing, their portions, which had to be acquired by any one [illegible]

On June 16th 1883 the Minister acknowledged the application and closed the case as far as the records of this office [illegible]

The records here make show that nothing has been paid on the claims

Robt Gordon Esq
Inspr Dom Lands
Winnipeg Man.

1013

1013

1013

not even office entry fees, nor is there anything to show the amount spent on development.

As however there may be some correspondence at Head office which has not been forwarded here I have enclosed copies of your letter and my reply to the Minister requesting if any further information can be furnished that it should be

I have the honor to be
Sir
Your obedient servant
W. Pearce
Supt

978
1913

Minneapolis Dec 28th 1913

Dear Sir

I have your letter of the 26th inst. in which you say that you have been informed that I am in the habit of using the Commercial Club rooms for my personal business, and that you would like to know if this is true. I am sorry that you have been misinformed, as I have never used the Commercial Club rooms for my personal business, and I am sure that you will find that no member of the Club has ever done so. I have had occasion to meet a number of gentlemen in the Club rooms, but I have never used the rooms for my personal business. I am sorry that you have been misinformed, as I have never used the Commercial Club rooms for my personal business, and I am sure that you will find that no member of the Club has ever done so.

Yours very truly

C. M. Loring

1014

Winnipeg Man.
July 28th 1885

My Dear Sir

Having come here in the interest of the English shareholders of the Alberta Mining Company I regret your absence West, as I wanted to ascertain from you the position today that the company are in in reference to the Dominion Government. What is our title to the mining ground? Have we any? If not – Can we get by purchase? or – on what conditions? Would it be troubling you too much to let us know our position and also what acreage (with description of location) is recognized by the Government as Alberta Mining Co's ground.

I may add that the English shareholders are prepared to advance more funds for mining provided they have title to the property and control of the same. Kindly let me hear from you as soon as possible as I want without delay to place the matter before my friends in England

Faithfully Yours
Robt. J. Haslam

To
Wm Pearce Esq P.L.S.
Calgary

979.

Calgary 9th Dec 1880

1014

Calgary 5th Aug 1885

Sir

I have the honor to enclose herewith copy of letter recieved from P. T. Haslam on behalf of the Alberta Mining Co. with my reply.

So far as file in this office discloses there is nothing to show that anything has been paid on the location, nor the amount of development.

I have the honor to be
Sir
Your obedient servant

J. Ross Clarke
Capt.

Jno. P. Hall Esq
Sec. Dept. of Interior
Ottawa

1015

980

Calgary 5th Aug 1885

Sir

I have the honr to enclose herewith C. S. file 39244 with copies of letters addressed to agent Prince Albert also Secretary Department of Interior which indicates the action I would suggest.

I have the hon. to be
Sir
Your obedient Servant

H. H. Smith Esq
Com. Dom. Lands
Winnipeg

Supt

1015

Calgary 3rd May 1915

Sir,

I have to inform you that I have received your letter of the 3rd April with reference to the case of Private Blackwell. The matter is now under investigation.

I have the honor to be
Sir
Your obedient servant

A. G. Dennis Lieut Col
Officer Commanding
Military District

981

Copy
1015

Calgary 5th Aug. 1884

Sir

I have the honor to acknowledge the receipt of yours of the 3rd ult. 1203 C having reference to an application by one John McKenzie to purchase at $1.00 per acre the S.W.1/4 and a portion of the N.W.1/4 of 19-25-2 W. of 2nd and in reply to state that the file in the case was sent to the Head office on the 22nd April 1884 consequently can only speak from memory; but I think it will be found that until your communication there was no application from John McKenzie to have his purchase raised to $1.00 per acre. That what he requested was that his residence on sec. 19 should be allowed him as if put on on the portion of 15 home-steaded by him, which request was I think granted.

I have however this day written Head office to look up the file and see what it was he asked requesting you to be notified in the matter.

I have the honor to be
Sir
Your obedient Servant

Agent Dominion Lands
Fort Qu'Appelle

(Signed) W.M. Pearce
Supt

1015

Chicago Dec. 15.

Dear Sir

I have your favor of the 13th inst and am pleased to learn that you are interested in the Chicago Exposition. I have been appointed Chief of the Department of Publicity and Promotion and am now engaged in the work of preparing the necessary legislation for the Exposition. I have also been appointed Chief of the Department of Publicity and Promotion and am now engaged in the work of preparing the necessary legislation for the Exposition.

Yours truly

Daniel H. Burnham
(Signed)
Director of Works

982

1015

Calgary 5th Aug 1885

Sir

I have the honor to request you will be good enough to look up a file sent you from commissioners offis on the 22nd April 1884 B 3066 having reference to a claim preferred by one John McKergil to a portion of sec. 18 T 19 Th 4 E. R. 25 W 2nd. As far as my memory serves me it appears that McKergil finding his house and some improvements on said sec. 19 purchased all that part of the west half of the sec. lying South of the Saskatchewan River paying therefor $2.50 an acre. He also Homesteaded and pre-empted the W½ of sec. 18. He then requested that his residence on sec. 19 should be applied as being on the Homestead portion. This request was I think granted. He now asks that the portion of 19 sold him be reduced in price to $1.00 an acre the difference applied as part payment of his pre-emption.

The file will I think disclose that-

Jno. P. Hall Esq
Sec. Dept. of Interior
Ottawa

1015

48

1619

that he has been accorded all he asked, further, that through a good letter he really occupied a large portion of his time working in More & Macdonell's mill and if his request was granted every homesteader in the district could on as good or nearly as good grounds ask that they receive the same rebate on any portion purchased. He has been fairly liberally treated and it is one of those cases which being closed might be advantageously I think allowed to remain as it is.

It has occured to me that it might be advisable to instruct the agent to discourage the opening up of old cases unless a grave injustice be done. Such a course will inevitably lead to a vast amount of work and certainly dissatisfaction unless everything asked be granted

No doubt the agent is desirous of rendering his administration of land matters popular; but such may be done greatly to the detriment of the public interests

I have the honor to be
Sir
Your obedient Servant

983
1016

Calgary 5th Aug 1916.

Dear Sir

We have received from Shipley Bros. Ltd. Calgary a cheque for $ 1.50 and a letter stating that it was sent in error. Shipley Bros. Ltd. state that they have collected certain articles for the Belgian Relief Fund and desire to forward this cheque to the Belgian Relief Fund. We have therefore to request you to kindly return the cheque to us.

Yours truly

for

Secretary-Treasurer

To Minister of Militia
Dept of Militia & Defence
Ottawa

20

1016

Calgary 5th aug 1885

Sir

I have the honor to enclose herewith letter received from Elzear Page of St Albert which explains itself. I have suggested to him that he request Mr Roger Goulet or some other reliable party to procure, give receipt and forward him the patent for NE 1/4 & S 1/2 of N W 1/4 16-5-6 W 4th.

I have the honor to be
Sir
Your Obedient Servant

H. Whitcher Esq
Agent Dominion Lands
Winnipeg

W. Pearce
Insp.

984
101

16

1617

Calgary 5th Aug 1885

Sir

I have the honor to acknowledge this day, the receipt of yours of the 13th ultimo. addressed to me as agent of Dominion Lands Winnipeg, stating that patent on your marke to the N.E. 1/4 & S. 1/2 of N.W. 1/4 16-5-w 4 of 1st Mer dent you, and in reply to state that as it will be some time before I return to Winnipeg I would suggest you ask Mr Roger Goulet or some other party in whom you have confidence to procure, give receipt thereto and forward you same patent

I have the honor to be

Sir

Your obedient Servant

[illegible]

Agent

Elzear Roy
St Albert
N.W.T.

1018

985.

Calgary 5th Aug 1885

Sir

Joseph Buttin called on me this morning inquiring about his claim to the N E 1/4 33-23-1 W 5th. There are two points to be decided in his case, 1st whether from date of settlement he should be accorded a Homestead entry it being on an odd section. 2nd There is a stone quarry thereon supposed by many as likely to prove valuable as Sandstone. It is said that Mr Tyrell of the Geological Survey made an examination thereof last year and possibly the Geological Department can furnish a report thereon.

In discussing the matter with Mr Buttin I pointed out that as a squatter he had no right to the portion of the 1/4 section comprising the stone quarry, that is that portion of the section lying East of the Elbow River. His reply was "as a squatter I (I am entitled to the quarry under whatever conditions the Government may impose".

H

Jno. A. Hall Esq
Dep. of Interior
Ottawa

1018

25

1018

33



It may be that on examination it may prove that a fair quarry might be granted Butlin at the same time reserving a large portion of the stone on said ¼ section.

The file in this case is with you and would request as prompt an answer as convenient as he will no doubt be making inquiries every few days.

I have the honor to be
Sir
Your obedient Servant.

W. Pearce
Supt.

986

Calgary 5th aug 1885

1019

Sir

I have the honor to acknowledge the receipt of yours of the 23rd ult. Ref. 2181 7/4 1885 containing an expression of opinion from Mr. Lindsay Russell in reference to the preliminary examination of candidates for Dominion Land surveyors and in reply beg to state for the information of the board that I concur heartily in the views expressed therein

I have the honor to be
Sir
Your obedient Servant

W. Pearce

P. B. Lyons Esq
Sec. Board of Examiners
Dep. of Interior
Ottawa

1019

Copy of Letter

34

1050
987

GG

1020

Calgary 5th August 5

H. H. Smith Esq.
Com.r Dom Lands Winnipeg

Hardisty Edmonton. has permission to
[illegible] everything possible [illegible]

988

1021

Calgary 6th Aug. 1883

Sir

I have the honor to request you will forward me a plan of D.L.S. Fawcett's Survey of the Bow River. It was made on ordinary writing paper and mounted by the Surveyor of your Office. was made by him last Summer.

I have the honor to be

Sir

your obedient Servant

Jno Peace

Capt.

H. H. Smithey
Com. Dom. Lands
Winnipeg
Man

1021

56

1022

Copy

989

Calgary District
of Alberta
To Wit.

I Joseph Dominique Lavarre
of Calgary, farmer and prospector
make oath and say

1st That in the summer of 1883 I took
up the S.E. 1/4 22-23-1 W 5th and during
that season plowed 5 ac. and erected
a house which is now worth $100.
costing at that time probably $200 That
during that year lived on it probably
Six months. That in 1883 I also lived
on it about Three months, took out
rails for a fence but was carried
away by the high water in the Elbow
river. That during 1884 lived on it
about 4 months, did no cropping. That
in 1885 cropped the said 5 ac. of break-
ing and I have lived on it about one
month.

2nd That in 1883 one Hugh Munro and
myself entered into partnership intending
that should either of us enter the land
it so it was to have a 1/2 interest therein did
for in ignorance not knowing the Dominion
Lands act prohibited such action.

3d That when the land became open for
entry I entered for the same intending to
have Munro live on it as I intended
to go to the mountains to prospect but
finding such cannot be done I required my
entry be cancelled and entry granted Munro.

4th That I have received nothing from said Munro
for my claim in this; but will
have to him after entry is [illegible] me

what-

1022

Oct.

Cheyenne District
Wyoming Territory

1022

what he considers right and just for my improvements and Claim to said ¼ Sec.

(Signed)
J. D. Garand

Sworn before me
at Calgary this
3d of August 1885
(Signed) Wm Pearce
Supt.

Calgary
District of Alberta
To wit

I Hugh Munro of
Calgary farmer and
freighter make oath and
say

That I have read over the forgoing affidavit of Joseph Dominique Garand that I am the person named Munro mentioned therein that I am personally cognizant of most of the statements therein contained and know them to be true and believe the remainder are true in substance and in fact. So help me God

(Signed) Hugh Munro

Sworn before me
at Calgary this
3d day of August 1885
(Signed) Wm Pearce
Supt.

990

1023

Calgary 6th Aug 1886.

Sir

In reference to the request of J. D. Garand to abandon his entry and have Hugh Munro enter therefor, being the S.W. 1/4 22-23-1 W 5th. I have the honor to instruct you to cancel Garand's entry and grant entry to Munro, the latter paying the usual entry fee of $10.00.

You will please enclose this letter to Head office as authority for so doing and a copy thereof to the Commissioner of Dominion Lands.

This action is very much out of the common but from a personal interview I am satisfied that the statements are correct and that the action taken is in the interest of the individuals concerned and also of the public.

I have the hon. to be
Sir
Your obedient Servant

W. Pearce
Insp.

J. McD. Gordon Esq
Agent Dom. Lands
Calgary

1023

39

Calcutta 6th Dec 1820.

My dear Sir

I have received your letter of the 21st ult. and am glad to find that you have arrived safely at Penang. I hope that you will find the climate agree with you, and that you will soon recover your health. I am sorry to hear that Mrs Farquhar has been so unwell, but I trust that change of air will restore her to perfect health. I am much obliged by your kind offer of your house at Penang, but I have already engaged a house here, which I shall occupy on my return from Upper India. I am sorry that you have been disappointed in your expectations of the Company's Service, but I trust that you will find your present employment more agreeable, and that it will lead to your speedy promotion. I am very glad to hear that Mrs Farquhar has been so well entertained at Penang, and I am sure that she will be pleased with the society at Malacca. I am sorry that I cannot accept your kind offer of your house at Penang, but I have already engaged a house here, which I shall occupy on my return from Upper India.

Yours sincerely

[illegible]

991

1024

Calgary 6th Aug 1885

Sir

I have the honor to enclose herewith copy of affadavit taken by me re S.E. ¼ 22-23-1 W 5th also copy of letter of instruction to agent in this case, in which reason for such action is detailed.

I trust the course adopted by me will meet with your approval

I have the honor to be
Sir
Your Obedient Servant

J. Peace
Dep.

H. A. Smith Esq
Commissioner Dominion Lands
Winnipeg

60

1024

Calgary 6th Aug 1885

Sir

I have the honor to enclose herewith copy of affidavit taken by me re S.W.1/4 22-23-1 W 5th also copy of letter of instruction to agent in this case, in which reason for such action is detailed.

I trust the course adopted by me will meet with your approval

I have the honor to be
Sir
Your obedient servant

Wm Pearce
Supt

H. H. Smith Esq
Commissioner Dominion Lands
Winnipeg

The above instructions to agent are in conformity with decision of the Land Office

Com^r

W. Prince

Supt

992

1025

Calgary 6th aug. 1885

Sir

I have the honr to enclose herewith file No 764 of the Calgary office being a declaration of Mr John Robinson concerning his right to Homestead and pre-empt the South ½ 5-23-1 W 5th. This comes within the Canadian Pacific Railway grant.

He settled thereon in March 1883, and did first improvements a few weeks previously has buildings to the value of $550. and fourteen or fifteen acres broken.

I explained to him that the Southerly limit of this section was run in 1881 therefor he was unable to plead he could not have ascertained whether he was on an odd or even section and I could hold out no hope that the Canadian Pacific Railway company would waive their claim thereto, that the Government were powerless in this matter unless that corporation did so waive it; but that if such was done he would obtain a Homestead and Pre-emption entry therefor. He stated

Jno. R. Hall Esq
Dpc. Dep. of Interior
Ottawa

1025

Calvary C. Dec. 1880

Sec. Bd. of Trustees
Allegheny

1025

[illegible] to make application for the position of
Overseer of the Poor in the above
[illegible] Town. Mr. Cramer
[illegible] is one of the most
[illegible] men in the whole
[illegible] County and is well
[illegible] to fill the position
[illegible]

stated he was informed the Railway Company did not want the 12 section it being very broken.

This is sent you that the Canadian Pacific Railway Company may be communicated with in the matter

I have the hon. to be
Sir
Your obedient servant

[signature]
Supt.

993

1026

Calgary 7th Aug 1885

Sir

I have the honor to forward herewith an application by one J. C. M. Davis asking permission for his wife to place her half-breed Land Scrip or at least 160 acres thereof on the S.W.¼ 16-23-1 W 4th & to record stated therein. The quarter is claimed by one Tweed, but as yet unentered. Davis claims if permission to place the scrip thereon be granted he can buy out Tweeds interests. I understand that G. C. King of Calgary has already spoken to the Calgary agent making a like request on behalf of his wife who has obtained similar scrip, but was told such could not be granted the Lands in this township not being open to claims only, but subject to cultivation and to his residence thereon.

I informed Davis that I did not think his request would be granted but that I would forward it for the ruling of the Minister, nor can I recommend it as his personal qualifications

I have the honor to be

Sir

Your Obedient Servant

Supt.

Jno. R. Davis Esq
&c. &c. &c.
Ottawa

1026

994

1027

Calgary 6th Aug. 1885

Sir

I have the honor to enclose herewith Calgary office file No 763 being an affidavit of one James Sproule regarding his claim to the W 1/2 35-23-1 W 5th which he claims partly as a homestead and partly as a pre-emption. On this he has about 12 acres broken, his building being on NW 1/4 36.

He commenced improvements and residence on it about March 1881 and since that date has resided except about one and a half years.

From date of settlement I informed him that entry could be granted to the portion of 35 desired, only by permission of the Canadian Pacific Railway Company, that that corporation would be required to waive their claim but from the fact that the boundary limit of the section 36 was surveyed in 1880 I could not see that he had strong grounds for pleading he did not know when he was settling, that though he claimed he did not know he was on an odd section, he could then have ascertained it as readily as he could now: but that-

if

D. R. Hall Esq
Asst. Dep. of Interior
Ottawa

1027

65

1027

Ich bitte Sie, mir gefälligst
mitzuteilen, wie viele Exemplare
Sie von meiner Arbeit
"Die Gemeinden Berlin Cölln"
besitzen.

Mit vorzüglicher Hochachtung
ergebenst
Dr. Paul Clauswitz

if the Canadian Pacific Railway waived their claim I presumed the Government would grant him the entire as he asked

I have the hon. to be
Sir
Your obedient Servant

995

1028

Calgary 6th Aug 1885

Sir

I have the honor to enclose herewith an application from Mr Lafayette French asking an extension of time in making the necessary developements on his mining locations entered by him, one in 1883; the second on the 8th July 1884.

The grounds for his request are based on the part he took in the disturbance in the North West between April and July last and furnishes a certificate of service from 26th April to July 1885. He was not a volunteer in the ordinary acceptation of the term, but no doubt proved as useful as many who went.

This no doubt is one of many such applications that will be made and it has occured to me that as a new set of mining regulations are coming into force shortly it might be well to notify all those who have already registered under the old ones and whose claims are not

A. M. Burgess Esq
Deputy Minister of the Interior
Ottawa

1028

Chicago, 4th Dec. 1876.

67

1028

not disputed, but through non development are liable to be forfeited, to register them under the new regulations and commence de novo and thereafter will be held strictly to the requirements thereof. Many of the claims located in 1883 were staked out in such a manner that they could not conform to the regulations in force; but can probably with those about to be introduced. As you are aware, for the past twelve months it has been anticipated that changes in the regulations would be made, consequently those who have filed their claims will urge with a good deal of force that they have delayed conforming with the existing regulations pending issue of these, amended as now anticipated

I have the honor to be
Sir
your obedient Servant

Wm Fleming

Gustafsen

1029

As to the case of R. Cuthill the undersigned recommend that he recieve a full gift of that portion of the N W 1/4 of sec. 20. Tp 24 R 6 W 3d lying outside of the townplot of Battleford, reserving between the portion granted him and the said town plot a highway one chain in width That he also be granted, as a full gift all that portion of the W 1/2 of Legal subdivision No 15 of sec. 20 lying outside of the town plot; reserving between such portion of section 20 and the said town plot, a highway one chain in width.

Recommend also that he be granted a lease of the remaining portion of the N.E. 1/4 of sec. 20. for Quarrying purposes from date to year, at a rental of $15.00 per annum said lease subject to termination on one months notice at any time

Respectfully Submitted

Commissioner

Superintendent

1029

Commissaire

Greffier Municipal

69

1030

996

1031

997

Private

Calgary 7th Aug. 1885

My Dear Sir

I have this day written you officially concerning a petition by the Rev. John McDougall on behalf of what is known as the Orphanage Claim at Morley against the erection of buildings thereon by the Dominion Govt. is a pity I think that he should have taken this action as Rev. Mr. Morley already have considerable stock and the land asked is not I think required for stock purposes, it being suitable for no other purpose. Mr. Morley settled there years ago, long before it was probable the C.P.R. would be constructed up the Bow River Valley, they settled for the purpose of stock raising, have therefore their energies largely to that & think it wrong that new comers should take their timber from them. I feel certain if these people are not granted what they ask which they think has been recommended from the fact that D.L.S. Belanger has been instructed to make the surveys in conformity with the petition presented on their behalf by the Rev. John McDougall, an appeal will be raised which may prove extremely [illegible] for the Methodist Church will be concerned. Now I think that Mr. White will be able to obtain all he requires without coming down of the Govt. but if he does think it may be necessary to [illegible]

Yours truly

998

1032

Calgary 7th aug. 1885

Sir

I have the hon to acknowledge the receipt of yours of the 24th ult. No 50984 advising me that Battleford files Nos 51179, 52925 50983, 50979, 50981, 50982, 50980 & 50984 have been forwarded me for revision. They reached me yesterday and I have gone through them and signed the schedules, attached them from the files and forwarded them to Mr Dominion Land Commissioner Smith for his signature regarding him when that is done to forward you.

I think the decision is now so clear that the agent cannot make any mistake. The only case embraced in the reports which were not in schedule is, I think that of Thomas Ogle which claim was not entertained.

Unless delay should occur by so doing I would report that copies of that schedule, as now amended, be made, and sent the Commissioner for signature should any question concerning them

Jas. R. Hall Esq
Asst. Dep. of Interior
Ottawa

1032

Chapter 7 of Gen. 1115.

75

1032

them be referred either to him or the land board. I have without success tried to take a letter press copy.

I regret that before I left Ottawa the schedules could not have been completed or that they could have been signed; but as you are aware being unable to do so it was beyond my control. I have requested Mr. Smith to have the various schedules pinned together with memo thereon of file from which they have been detached or that they can readily be attached to the proper files.

The files go forward tomorrow by express today.

I have the honor to be

Sir

Your obedient Servant

J. Pierce

Asst. Sec.

1033

999

Calgary 7th Aug 1885

Sir

I have the honor to enclose herewith several sheets of descriptions of the line board in Battleford Land District for your information.

You will notice your signature is required on each sheet.

Each township is provided together with notes of field from which attached thereon, a tracing on cardboard of which can readily be attached to the township plan which is forwarded by express.

I conclude with this letter to the Secretary of the Department of the Interior you will notice I have returned copies of that referred to by you as enclosed. There is still not listed with schedule after you have appended your signature

I have the honor to be
Sir
Your obedient Servant

J. S. Dennis

A. S. Smith Esq
Commissioner of Dominion
Lands
Winnipeg

Supt

1033

74

1000

1034

Calgary 7th aug 1885

Sir

I have the honor to inform you that I have received from the Rev. John Mc Dougall a protest against the erection of buildings on what is known as the "orphanage claim" at Morley. I think it is the intention of the Government to recognize that claim, instructions having been given to survey thereof: you will therefore please refrain from making any further improvements pending the decision of the Minister in the matter to whom Mr Mc Dougalls protest has this day been sent.

I have the honor to be
Sir
Your obedient servant

[signature]

Dept Z

Francis White Esq
Foreman
Morley

1034

1004

75

1001

1035

Calgary 7th Aug 1885

Sir

I have the honor to acknowledge the receipt of yours of the 5th instant protesting on behalf of the "Wm Dougall orphanage" against the erection by Mr White of buildings on the claim at Morley preferred by said orphanage and in reply to state that I have this day notified Mr White of said protest and forwarded a copy thereof for decision and action by the Minister

I have the honor to be
Sir
your obedient servant

J. W. Traill
Supt.

Rev. John Mc Dougall
Morley
Alberta

1001

1035

Cologne, 7th Dec. 1852.

My dear Sir,

I have the honor to inform you that I have received your letter of the 4th inst. and that I am ready to comply with your request. I have therefore ordered the Messrs. Schlosser to deliver to you the sum of Thaler 1000 (one thousand) in Prussian Bank Notes, which you will receive from them on presentation of this letter.

I am, my dear Sir,

Yours very truly,

Sulpiz Boisserée

Dr. Schlosser, Banquier,

Frankfurt a/M.

1007 77

1036

Calgary 7th Aug 1885

Sir

I have the honor to enclose herewith copy of a letter from the Rev. John [illegible] of Morley protesting against the erection of certain buildings by Thomas White on what is known as the Orphanage claim at Morley.

You may remember that in February last Wm McDougall received an application made two years ago (the former one having been lost or mislaid in the Department) from the residents of Morley, asking for a subdivision into river lots of all that portion bounded on the West by the Indian reserve, on the South by the Bow River, on the East by the Ghost River and on the North by a line dividing Township 24 into North and South halves. This application has since been approved and instructions given Dominion Land Surveyor Bélanger to carry into effect such survey.

All the claimants, except possibly the orphanage, being already to a considerable extent engaged in stock raising, that though the area of these lots would in some cases amount to several hundred acres, such

area

A. M. Burgess Esq.
Dept. Ministère of the Interior
Ottawa

1036

1036

1036

area was not required for sheep purposes, it being suitable only for that industry.

Wm. McDougall states it is the intention of the Methodist church to establish this orphanage with a view to dairying and wool growing and the manufacture thereof, and to carry out the scheme designed a considerable area will be required.

In the mean time it appears a lease (No. 46) has been granted Mr. Francis White and he has erected two buildings near the Bow River on the portion claimed on behalf of said orphanage. These buildings I am informed are placed between two large fields already enclosed and claimed by said orphanage.

I have this day written Mr. White informing him of the protest by the Rev. Wm. McDougall and instructing him to make no further improvements pending a decision by the Minister in this case a copy of which is enclosed

I have the honor to be
Sir
Your Obedient Servant

W. Pearce
Supt

1003

Copy

1036

Calgary 7th Aug 1880

Sir

I have the honor to inform you that I have recived from the Rev. John McDougall a protest against the erection of buildings on what is known as the "Orphanage claim" at Morley.

I think it is the intention of the Government to recognize that claim, instructions having been given for survey thereof, you will therefore please refrain from making any further improvements pending the decision of the Minister in the matter to whom Mr McDougall's protest has this day been sent.

I have the honor to be
Sir
Your obedient Servant

(Signed) Wm Pearce
Supt

Francis White 620
Rancheman
Morley

1036

Orig.

Cologne, 24 Dec. 18..

My dear Sir,

I have received your letter of the 20th inst. and am glad to hear that you have arrived safely at Cologne. I am sorry that you have had such a bad journey, but I hope you will soon recover from the fatigue. I have not yet had time to look over the papers you left with me, but I will do so as soon as possible and will write to you about them. I am very glad that you have found a good situation, and I hope you will like it. I shall be glad to hear from you again soon.

Yours truly,

75

Copy

1004

1036

Morley Aug. 5th 1885

To Wm. Pearce
Commissioner of Crown Lands
North West Territories

Sir

I beg leave to call your attention to the fact of a trespass being committed on the Wm. Dougall Orphanage Claim (situate on the North Bank of Bow River, West of Ghost River) by one Francis White. Mr. White has erected two small buildings and is proceeding to erect some corralls on the above claim.

As representative of the above claim I herewith desire to protest against the trespass and also ask you in your official capacity to stop any further proceeding on the part of the Trespasser

I have the honor to be
Your Obedient Servant
(Signed) John Wm. Dougall
Missioner

1036

80

1005

1037

Calgary 8th Aug. 1885.

Sir

You will find in your Office a file having reference to the claim of one Colvin to the S W 1/4 11-24-1 W 5th, the file will disclose all the facts in his case. I took the evidence I think in Sept 1883.

At all events this claimant settled there in 1882. claims he did not know it was a school Sec. Whether he did or not, the parties he placed him there to hold the land for them knew it was. finding their project of obtaining the land desired, by placing others thereon, gave up their scheme & left Colvin in possession, in which he remained till his death on the 1st of June last. leaving a widow and two children, the eldest eighteen months of age, the other a few days. His improvements are situated on Legal Subdivision 12 of said Section consisting of probably 15 or 20 acres of breaking enclosed with a fair fence. a house worth probably $200 & other buildings worth say $150 Total value of improvements about $600 Colvin was also an ex-member of the Mounted Police. His widow is dependant wholly on her own exertion for a means of subsistence she keeps a few cows and some poultry and from sales of eggs, milk and butter makes a livelihood.

I was waited on this morning by

H Smith Esq
Com. Dom Lands
Winnipeg

18

1037

Lafayette Co. Miss. 1883.

Mr.

Yours was duly received, and in reply would say that I have sold all my property in this county and moved to Lafayette Co. Miss. where I intend to make my future home.

I am very truly yours,

Mrs. A. Dorsett

1037

by Messrs King and Baker who urged that I should recommend her case to the favourable consideration of the Minister, alleging that perhaps she might be granted forty acres of the said ¼ sec on the most favourable terms possible. They did not urge her claim as a matter of right but merely one of charity. I informed them that whatever treatment was meted out to Mrs [illegible] must be understood as not creating a precedent, but merely as an act of grace on the part of the Minister, caused by the unfortunate position in which Mrs [illegible] was placed.

I would therefore recommend if you see no reason to the contrary that Mrs [illegible] be granted a H. entry to L.S. 12 of Sec 11. Tp 24. R 1 W 5th. If that cannot be done that it be sold her at the minimum price. If it should be necessary to put it up for public competition it would no doubt be sold her at the upset price.

You will please forward this to the Minister with whatever comments you may wish to make thereon.

I have the honor to be

Sir

Your obedient Servant

[signature]

Supt

by Messrs King and Blenkin who urged that I should recommend her case to the favourable consideration of the Ministry, stating they suppose she might be granted forty acres of the said ¼ Sec on the most favourable terms possible, they did not urge her claim as a matter of right but merely one of charity. I informed them that whatever treatment was meted out to her must be understood as not creating a precedent, but merely as an act of grace on the part of the Ministry, caused by the unfortunate position in which Mrs Colvin was placed.

I would therefore recommend if you see no reason to the contrary that Mrs Colvin be granted a H. entry to L.S. 12 of Sec 11. Tp 24. R 1 W 5th. If that cannot be done that it be sold her at the Minimum price. If it should be necessary to put it up for public competition it would no doubt be sold her at the upset price

You will please forward this to the Ministry with whatever comments you may wish to make thereon.

I have the honor to be

Sir

Your obedient Servant

J. Wm Leaver

Inspr

1006.

1038

Calgary 10th Aug 5

H. H. Smith. Esq.
Com'r Dom. Lands. Winnipeg

Yours Dep't respecting Settlers
Coal Entries for N. West
Coast

83

1038

1007

1039

Calgary 10th Aug. 1885

Sir

I have the honor to instruct you to Cancel the pre-emption entry of James Bannerman to the N W 1/4 16-23-1 W 5th and grant John Dunn entry thereto.

As is disclosed by your file No 776 and attachments it appears that Wm Watkinson has withdrawn any claim he may have to the N 1/2 of said Sec to which Bannerman had obtained entry. and Bannerman on his part withdraws his claim to the N W 1/4 of said Sec. thus enabling Dunn to obtain entry.

This disposes of satisfactorily to all parties a long pending dispute regarding the 1/2 Sec in question.

You will please return this letter to H.O. with file. as authority for your action in the matter.

I have the honor to be

Sir

your obedient Servant

L Vankleek

Supt

Agent Hd Qrs Mounted Police Company

1039

Cleveland O. den 10. Dec. 1888.

Sie haben die Güte mir einen Brief zu senden worin Sie Ihre Ansprüche auf die Pfarrei Sommerau bei Neu Ulm geltend machen. Ich werde dann sofort Ihre Sache in Angriff nehmen.

Es ist dies eine Pfarrei die mir sehr am Herzen liegt, weil ich selbe 10 Jahre lang als Pfarrer verwaltet habe. Ich werde mich daher mit Freuden Ihrer annehmen.

Mit der Bitte mir Ihre Adresse recht deutlich anzugeben verbleibe ich

Ihr ergebener

Fr. Pirmez

Ihre Briefe sind zu adressiren:

1008

1040

Calgary 10th Aug. 1886.

Sir.

I have the honor to request that permission be granted Henry Frederic Stuart to make a 2nd entry. At his own request his entry to the S W 1/4 32 -22 - 1 W 5th was cancelled, which entry was made on 25th June entry No 112 Calgary Agency. He acted very honorably in it, by acquiescing in cancellation prevented what would probably have become a nasty dispute involving a good deal of bad feeling and I have much pleasure in recommending his application to your most favourable consideration.

He desires to enter for the N 1/2 22 in Tp 23 - 1 W 5th having paid down $1200 for the improvements thereon made by the Rev E. Peake Rundle Ch of England incumbent in Calgary who finds his ministerial duties will not allow him to comply with the Homestead Provisions of the D. L. Act. and I have instructed the agent to reserve from entry the 1/4 Sec in question until a decision by the Minister be given whether Stuart is to be granted permission to make a 2nd entry or not.

I have the honor to be
Sir
Your obedient Servant
John Lee
Supt

John R. Hall Esq.
Sec. Dept of Interior
Ottawa

85

1008

1040

Calgary 10th Aug. 1886.

Sir,

I have the honor to request that permission be granted Henry Frederic Stuart to make a 2nd entry. At his own request his entry to the SW¼ 32-22-1 W 5th was cancelled, which entry was made on 25th June entry No. 112 Calgary Agency. He acted very honorably in it, by acquiescing in cancellation, prevented what would probably have become a nasty dispute involving a good deal of bad feeling and I have much pleasure in recommending his application to your most favorable consideration.

The claimant to entry for the NW¼ 22 in Tp 23-1 W 5th having paid some $1200.00 for the improvements thereon made by the Rev E. Paske Smith Ch. of England incumbent in Calgary who finds his ministerial duties will not allow him to comply with the Homestead Provisions of the D.L. Act. and I have instructed the agent to refrain from entering the ¼ sec in question until a decision by the Minister be given whether Stuart is to be granted permission to make a 2nd entry or not.

I have the honor to be
Sir
Your obedient servant
Wm Pearce
Supt.

John R. Hall Esq.
Sec. Dept. of Interior
Ottawa

1009

1041

Calgary 7th May 1885

Sir

I have the honor to enclose herewith file No 39952 also copy of letter written this day to agent of Ed. and Dom Land company and one to Head office which indicates all the action possible to be taken at present.

I have the honor to be
Sir
Your Obedient Servant

J. Lawe
Supt

H. H. Smith Esq
Com. Dom. Lands
Winnipeg

1009

1041

Calgary 7th May 1880

Sir

I have the honor to enclose herewith file No. [illegible] also copy of letter written the day to Agent of Co. and also same company and to Head Office which indicates all the action possible to be taken at present.

I have the honor to be
Sir
Your obedient Servant

[illegible signature]
Supt.

H. H. Smith Esq.
Com. Dom. Lands
Winnipeg

1010

1042

Calgary 7th Aug 1885

Sir

I would request to be informed whether the Hudson Bay commissioner has ceded claim to certain Hudson Bay company's sections in the Edmonton District settled on in advance of survey. Thos m Sections 26-53-22 W4th have been inquiring in the matter. As soon as the claim of that company is relinquished I would suggest agent of the Ed & Dom Land company be instructed to grant the necessary entries

I have the honor to be
Sir
Your obedient Servant

J. McLeave
Supt.

Jno. R. Hall Esq
Sec. Dept. of Interior
Ottawa

87

1010

1042

Delaware & Hudson R.R.

Albany, N.Y.

Dear Sir:

Please send us ____ Bill of Lading forms
as per requisition dated ____

Yours truly,

Agent.

1044

1043

Calgary 7th Aug 1880

Sir

I have the honor to acknowledge the receipt of yours of the 4th inst. enquiring of action taken by the Department concerning the claims of Messrs Mc Leod to the S 1/2 26 Aley Mc Leod " " S.W. 1/4 26 and Lewis G. Rees " " N.W. 1/4 26 all in Tp. 63. R. 22 W 4th, and in reply to state that with the exception of the N.E. 1/4 26 these lands are vested in the Hudson Bay Company and cannot be disposed of by the Government until that Company has waived their claim thereto: See Section 18 and its sub sections 46 Vic. Cap 17 particularly sub sec. 6. This provision was first passed in 1872 and in spite of several efforts parliament has not changed the rights of said corporation.

I presume Messrs Mc Leod does not wish to enter the N.E. 1/4 without entering at the same time the S.E. 1/4 otherwise there is nothing to prevent your granting entry to it.

The

G. A. Simpson Esq
Agent Ed. & Sas. Land Leagues
Clover Bar
alta

Calgary 7th Aug 1890

Sir

I have the honor to acknowledge the receipt of yours of the 22nd ult. informing of action taken by the Department concerning the claims of Ferdinand McGrath to the S½ 26
Alex McGrath .. S.W. ¼ 26
and Louis G. Ross .. N.W. ¼ 26
all in Tp. 23 R. 22 W 4th and in reply to state that with the exception of the N.E. ¼ 26 these lands are vested in the Hudson Bay Company and cannot be disposed of by the Government until that Company has waived their claim thereto. See section 18 and its sub section 42 [illegible] Chap 17 particularly sub sec. 6. These provisions were first passed in 1872 and in spite of several efforts parliament has not changed the rights of said corporation.

I presume Ferdinand McGrath can not wish to enter the N.E. ¼ without entering at the same time the S.E. ¼ otherwise there is nothing to prevent your granting entry to it.

[illegible]

W. A. Simpson Esq
Agent Dom. Land [illegible]
[illegible]
Alta

1043

Dear Mr. Barrett

I have the honor to be

Sir

Your Obedient Servant

Geo. Dewey

Capt.

98



the Land commissioner of the Hudson Bay company was written to some months ago requiring him to cede these among several more similar cases to the Government which if done the claimants therein will be liberally treated, that is the same as if at date of settlement claimant had settled on any other even section.

It is anticipated that in a short time the matter will be arranged but in the mean time the Government are powerless in the matter

I have the honor to be
Sir
Your obedient Servant

Wm Spence
Supt.

1012

1044

Calgary 8th Aug 1885

Sir

In conformity with instructions contained in Head office letter 8972 on 43503, I last night in company with Messrs Peterson, Coughlin and Jarvis, School trustees of Calgary inspected Section 16-24-1 W5th with a view of selection of school sites, and the blocks decided upon were Nos 18 and 84.

Each of those blocks contain 3.21 acres and will give ample room for school accommodation for many years to come.

I would recommend that blocks be not handed to the school authorities until they are prepared to build thereon. It might be deemed advisable that one or a portion of each be utilized for High school, collegiate or college purposes.

I have this day instructed the Agent of Dominion Lands not to dispose of lots in those blocks unless specially instructed in the matter.

I have the hon to be

Sir.

Your Obedient Servant

J. Ross Clarke

Inspt

Jno. R. Hall Esq
Sec. Dept of Interior
Ottawa

1044

30

1045

1013

Calgary 8th Aug 1885

Sir

I have the honor to enclose herewith copy of letter addressed this day to Mr. W.E. Kerfoot Manager of the British American Ranche company which explains I think fully the object desired.

Should that corporation not accede to what is requested I would submit that it is in the public interest that the requisite two years notice of the cancellation of that portion of Lease (No 43) embraced within Tp 24 R. 2. W 5th be given at once. From its proximity to Calgary, as long as it remains intact Local & Colonial applications for entry therein will certainly be made.

If the Lease to the whole Township may not be cancelled I would strongly urge it should be to at least the East half of it.

I have the honor to be
Sir
Your Obedient Servant

Wm Lucas
Insp.

A. M. Burgess Esq
Dep. Minister of Interior
Ottawa

1045

91

Copy

1014

Calgary 8th Aug 1885

1045

Sir

Applications have been made for entries on sections 12.14.T 24 Township 24-2 W 5th a township leased to the British American Ranche company of which I understand you are the Agent. It is further stated that no stock has yet been placed by your company in that township, nor that your company has nearly the amount of stock on their Range required by the terms of their Lease. Of the truth or falsity of these statements I am not in a position to form an opinion and merely state them that you may be aware of some of the grounds on which Homestead entries in that township are urged.

It is further stated that unless this Township is fenced in, owing to its proximity to Calgary the stock held in that town will trespass largely thereon. To further to fence it in will require a vast expenditure, there being two trails across it leading to Morley one on each side of the River, in addition to the various road allowances in said Township, which form its position [illegible]

W. D. Hunter (2d)
Agent B.A. Ranching Co
Calgary Alta

Copy

Calgary 28th Aug 1885.

Sir

Applications have been made for entries on sections 12. 14. 22. 24. Township 24-2 W 5th a township leased to the British American Ranche Company of which I understand you are the Agent. It is further stated that no stock has not been placed by your company on that township, nor that your Company has recorded the amount of stock on their Ranch required by the terms of the lease. Of the truth or falsity of those statements I am not in a position to form an opinion and merely state them that you may be aware of some of the grounds on which homestead entries in that township are sought.

It is further stated that unless the Township is fenced in, owing to its proximity to Calgary the stock held in that township will trespass largely thereon. This matter to fence it in will require a vast expenditure, there being two trails across it leading to Morley and one on each side of the River in addition to the numerous road allowances in said Township, which from its position the

W. D. Kerfoot Esq
Agent B. A. Ranching Co
Cochrane Alta

1045

Hierbei sind diverse Abrede
[illegible] Preis.
[illegible] Preis ist [illegible] Preis ein-
schließlich Mehrwertsteuer in
der jeweils gültigen Höhe.
Der Preis ist [illegible] Preis
[illegible] Preis ist [illegible]
[illegible]

Hans Schmidt-Brunel
[illegible]

(Ingrid) Hans Brunel

the public will demand should be kept open.

It has occurred to me that for the reasons herein stated your company might wish to relinquish their lease to this Township which if done entries can be granted to the even sections therein

I have the hon to be
Sir
Your Obedient Servant

(Signed) Wm Powell
Surveyor

1015

1046

Calgary 11th Aug. 1885

Sir.

I have the honor to inform you that I think advisable to reserve for the present blocks 31. 32 and 48. in the Subdivision of Sec 16-24-1 W 5th (Town plot of Calgary). pending the decision by the Govt as to the location of any public buildings in Calgary. and have so marked the maps in the Office of the Calgary Agent.

The Office for the Registrar is being erected on lots 18 and 19 in Block 50. Block 49 is not so favourably situated as the blocks selected, so far as the ground is concerned, at the same time it is not unfavourable.

Blocks 27 and 28 are nicely situated.

The town of Calgary is all, or nearly all built on the North side of the Ry. the centre is about opposite the passenger station which is I think about ten chains (one eighth of a mile) West of the centre of Sec 15. The tendency of the town at present is to grow West and if public buildings, Land Office P. Office. Crown Timber, Registry, Customs &c were built on Sec 16 in a few years probably one fourth of the town would be on it with a constant tendency to go West

I have the honor to be
Sir
Your obedient Servant
W. Pearce Capt.

John R. Hall Esq
Sec. Dept of Interior
Ottawa
Ont

1046

Melbourne 11th Dec. 1883.

Dear

I have the honor to inform you that I shall commence to receive for the present about £1.00 per £. on the subscription of the 10-8th-1883 (three days only) from the date hereof. Should you desire to accelerate the payments of the calls you can do so at the Office of the Colony Agent.

The Office for the Depositors is being erected on the 18th inst. in Elizabeth St. Should it not be finished by the 20th inst. the payments will be received at the Office of the Colony Agent.

The Colony is only responsible for all Deposits made with the Bank. The Bank is a Joint Stock Company & the Depositors therein have the privilege of voting for Directors. Every Depositor has a vote for every £. Every Depositor has a vote for every £. Every Depositor has a vote for every £. Every Depositor has a vote for every £.

Yours truly

Agent

1016

1047

Calgary 13th Aug 1885

Sir

I have the honor to acknowledge the receipt of yours of the 1st inst. relative
1396 having reference to the claim of Jno Gibbons and Charles Stephenson to Lands in Tp. 23 R 25 W 4th and in reply to state that a Guard has been ordered out to guard the Buildings on the said Section but will please state this enables me to send him 24/00 and forward the receipt when a recommendation will be made in their favor.

I have on this day applied by letter to Colonel Anderson Commanding Victoria Post Battn. Rifles for an Escort when my duties will be explained and shall be glad if you will be kind enough to advise me if you have received the application and how long it may be.

I have the honor to be
Sir
Your Obedient Servant

Agent Dominion Lands
Calgary

1047

1048

1017

Calgary 13th Aug 1886

Sir

I have the hon to acknowledge the receipt of yours of the 3d inst having reference to the claim of Robt Holmes to the W½ 5-63-23 W4th and in reply to state the decision of the Land Board was.

After reviewing all the evidence on both sides would recommend that the S.W ¼ 5-63-23 W4th be sold to Holmes at $2.50 per acre and that the company be requested to sell it to him at that price leaving Holmes to acquire any further land he may want to acquire from the Colonization company

I have the hon to be
Sir
Your obedient Servant

J. Stewart
Asst

Agent Dom. Lands
Edmonton

1018

1017

96

1018

1049

copy

Calgary 13th May 1886

Sir

I have the honor to acknowledge the receipt of yours of the 9th ult. C/36 having reference to the application of Baptiste Pepin to Lot 21 St. Albert which he now claims under the provisions of sub sec (F) sec 57. 46 vic. Cap 17 and in reply to state that from evidence offered before me last summer there was nothing to establish such a claim. Further that as regards his own evidence, the affidavit taken before you on the 1st ult. does not agree with that taken before me last summer.

Further his corroborating witnesses do not agree with him in that they say the Lot was claimed by Rev. Ward and Felix Prince whereas Pepin claims no title through Prince and that probably owing to difficulty, perhaps impossibility of obtaining evidence it will suit him best to obtain title to it under the homestead provisions of the Dominion Lands act than under the said sub-clause (F).

The file in the case is at Head office and it is not likely it will be returned.

If he applies through you for a copy thereof please forward copy of this letter with his application. It would not I think be

Agent Dom. Lands
Edmonton

1049

1018

97

1049

be advisable, unless very grave injustice be done, to open up these cases. These parties had full and ample opportunity to furnish all the evidence required; they had the Rev Mr Pedley to look after their interests, than whom a better one could not be obtained. They have to be closed at some time and when once a decision is given it had in this case & them better remain. Under sec (7) all over 160 ac he would have to pay $1.25 per acre so that it is with him a matter of only $0.25. As to Lot 55 that had better remain as it is until this is settled unless if not required for wood it may be sold him at $2.50 per acre. When he obtains recommendation for his patent for Lot 21 it may be that there are circumstances in his case to warrant granting a second entry in the vicinity of the first; but you may explain to him the object sought to be attained in granting second entry was to develope a pioneer class not that they should acquire land in proximity to their first homesteads.

I presume he is a half-breed and has already obtained $160. in $240 in scrip if the family has not the same and his children $240 a 240 acres each so that in land matters he should not complain of being harshly treated

I have the honor to be

Sir

Your obedient servant

(sd) J. P.

1019

1050

Calgary 13th Aug 85

Sir

I have the honr to acknowledge the receipt of yours of the 2nd ultimo having reference to the claim Michael Duffy to the SE¼ 26-48-1 W5th and without such information than is furnished it is impossible to make any recommendation in his case he not having filed his claim before me when taking evidence regarding such in January and February 84.

You will therefore procure the fullest evidence, of the nature and extent of his claim, furnish it on the blank form used in ejectment cases, have the same corroborated by two reliable and disinterested witnesses and forward me here when a recommendation will be made in the case. The blank forms meant to this me containing the questions and if you have not a supply write Head office for them; the fees to be 10$

I have the honr to be
Sir
Your obedient Servant

Agent Dom: Lands
Fort Albert

W. Pearce
Insp.

1050

1020

1051

Calgary 13th Aug 1880

Sir

I have the hon to acknowledge the receipt of yours of the 10th inst. No 1382 having reference to the claim Pierre Delorme to Road No 5 St Albert and in reply to state that from the affidavit taken before you in the 1st inst it would appear that he was sworn before the transfer by one Baptiste Dumont, though in the evidence taken before me such did not appear, but before patent can issue under the provisions of sub sec (H) sec 51 Hom Act it will be necessary for him to obtain a title from said Baptiste Dumont through St Pierre Dumont from whom he purchased.

His affidavit reads. I purchased it from one St Pierre Dumont who had inherited of his brother Baptiste who died of small pox in 1870 and who had in company with his said brother St Pierre and his father Gabriel who also died in 1870 had taken the said claim about 5 years ago before the small pox in 1870 and that the said Baptiste Dumont lived thereon from the time

Agent Dom. Lands
Edmonton
N.W.T.

100

1051

1051

1051

time to look it until his death.

According to that there appears to have been prior to 1878 three owners to this lot. viz— St. Pierre Baptiste and their Father Gabriel; but there is nothing to shew that St. Pierre was sole heir to the other two

I have the honor to be
Sir
Your obedient Servant
Wm Pearce
Supt.

1021

1052

Calgary 13th Aug 1886

Sir

I have the honor to enclose herewith file No 40222 also copy of letter to agent Dominion Lands Prince Albert re claim of Michael Duffy to the SE¼ 26-48-1 W5th

I have the honor to be
Sir
Your Obedient Servant.

Wm Pearce
Supt
(Per G. H.)

1052

Cleveland, 13th December 1852.

1052

Dear Sir,

I have this day received your favor of the 11th inst. enclosing Draft on Messrs. Olyphant & Co. for $2000 which I have placed to your credit.

Yours truly,

Jno. Brooks

(Jno. Brooks)

102

1053

1022

Calgary 3rd Sept 1885.

My dear Mr Ingraye

You would greatly oblige me if you would send me the regulations under which stock for breeding purposes are admitted into the Country free of duty. If there are any printed regulations would you please cause to be sent me a liberal supply, as settlers are constantly applying here and the necessary explanations cannot be given. As an example one Sullivan who has homesteaded on Sec 7. Tp 19. R 28 W 4th M. brought in from Montana some 300 head of cattle, has no horses, stated to me that he gave bonds that none of them would be sold for two years. [this brought them in free of duty]. Many homesteaders state that they are unable to bring in stock on any conditions free of duty.

There are two young men Messrs McDonald & Boyd on Sheep Creek who have now quite a flock of sheep on which duty has been paid but are bringing in this year some 250 more ewes from Montana, which are expected about the middle of this month, have applied to the Govt for a lease which was refused, but today forwarded one amended application which is of such a nature that I think will probably be granted, and this sheep will be here long before they will be able to obtain a reply and they have asked me to assist them as far as possible in this duty question, and it has occurred to me that one of two ways might be adopted in this case, 1st pay the duty on the understanding that if the lease was granted

W. R. Ingraye Esq.
Collector of Customs.
Winnipeg

1053

103

1053

104

1053

Ogmulled, the duty paid would be refunded on give bonds that if cause was not obtained within say four months the duty would be paid. This address is Okotoks P.O. and if you would advise them on this head you would confer a favour.

Many people state that parties who have cows import stock free of duty which is sold to those who have no cows. Of the truth or falsity of that I am not in a position to express an opinion; but of one thing I am very strongly of opinion and that is the sooner the bullet for the interests of the country, that an active intelligent Officer is sent to the Macleod District, who will make it his sole business looking after the traffic between Montana and the North West Territories. He will have enough to do to keep him busy; but he will require to be a man who will go on horseback or buckboard and prepared to rough it a good deal. I think Lethbridge a better point for headquarters than Ft. Macleod. You will notice all the trails from Montana cross the Int. Bdy East of St. Mary's River. The Macleod is nearly due South of Lethbridge. and can be reached at any season of the year, no rivers having to be crossed. Further he could easily take the Ry from Lethbridge & strike the Pincher Creek trail on which there is a good deal of traffic. Further in connection with the Jail Farm no doubt as it will shortly be developed largely much machinery &c will be required & Lethbridge were made a point of entry it would greatly accomodate that enterprise. You may make what use you may see fit of this letter or any portion thereof.

Yours very truly James

J. Powell

1054

1023

Calgary 3rd Sept 1885

Sir

In reference to yours No 4300 on file I. & D. 11673. Mr McDonald called on me today and stated that he was prepared to accept a lease of the 2 Sly Secs. 12 and 2 of Twp. applied for. viz Twp 21. R. 3 W 5th subject to right of homesteading and pre-emption by settlers of the even sections, that it lies so high up on the foot hills, that for other purposes than grazing the land is of no value.

The principal reason he wishes a lease is that it enables him to bring in stock free of duty, that is to the extent covered by his lease. He has now being driven in for him from Montana some 2,50 sheep, the duty on which 20% is quite an item.

Messrs McDonald & Boyd are in partnership on sheep exclusively, have about 4000 sheep at present and paid duty on what were brought in last year, about 200 ewes, and they complain that they should have to pay duty when others do not. These are young men striving to advance their interests thereby the interests of the country, and it is I think worthy of consideration whether without detriment to the public interests their request should not be granted, the even secs being open for settlement prevents the cry that the country is locked up by leases and I would recommend their application to the most favourable consideration of the Minister. If this land is not available the same area on the same terms as near thereto as may be I have the honor to be Sir Your obedient Servt

John R. Hall Esq.
Sec. Dept of Interior
Ottawa

1054

1053

105

1024

1055

Private

10th Dep 2nd 05.

My dear Sir.

Your application re mining location Sec 16 – 26 – 4 W 5th – just to hand I enclose copy of the coal regulations and instructed the agent to make the correct acknowledgement.

You will observe from it that there is no provision except a sale and even not to exceed 320 ac to the one individual. As to obtaining the privilege you wish that can only be obtained on application directly to the Minister Whether he may consider it advisable to accord that is a point on which I am unable to express an opinion. I may mention that the N½ of 16 in the same Tp. has been lately sold to one Chaffee at $10 per ac. Cash.

C. W. Rowlatt Esq
Secretary Hotel
Winnipeg
Man

Yours very truly
W. Pearce

1055

1054

106

1025.

1056

Calgary 6th Oct. 1885

Sir

The plans you promised sending me has not come to hand, and as I leave tomorrow for the mountains have thought it expedient to advise you of what I can find in this office regarding mining locations in the vicinity of Storms Mt. in which it is probable the Alberta Mining Co. is interested. Probable as the records have do not disclose that there is such a Co in existence and I have been guided wholly by the names of parties who made the applications

File No 66 of this office contains an application by one Francis Retallack on behalf of Rose Lambert Price for location P. 1500' x 60. lying immediately North of M. date of Applt 11th Oct 1882 states claim was defined on the ground on 20th Aug 1883, ~~one fee~~ accompanies it. The answer to it is dated 19th Oct. 83 and states that until the proposed Mining Regulations which are now under consideration with the view possibly to amendment have received the sanction of the Governor in Council no action can be taken upon applications for the authority of the Minister to mine minerals other than Coal.

File No 27. of this Office is an application by Francis Retallack for location O. 1500' x 600', lying immediately North of location N. East of and adjacent P. date of Applt 11th Oct. 1883. States location was marked on the ground on 20th Aug. 1883. one fee accompanies it. The answer is of same date and in same terms as that on file No 66.

File No 29 of this Office is an application by Dennis, Sons & Co on behalf of one Andrew McConnell of Helena Montana for a mining location, not numbered or lettered, described as lying immediately North of O & P. and states it was marked on the ground by said McConnell on the 18th Aug 1883. this applt states McConnell has located along the lode or vein 1500' 300' on each side of said lode and

Robt T. Henderson Esq
Manitoba Club
Winnipeg

Telegram d. 7th Oct. 1883.

Sir

The Queen upon Ponsonby's having on Tuesday last sent over to Windsor the Telegram from Mr Hamilton how thought it expedient to advise upon it what I was pleased to state in this Office regarding Mining Questions in Mr Gladstone's absence. Mr Hamilton's opinion is that Mr Gladstone's Mining Bill would be unpopular, Particularly as Mr Brassey has also not decided. Mr Hunt is dead & Lord Aberdare is ill & I have been pressed verbally by Mr Brassey of Queen's Mines to make this explanation

File No. 66 of this Office contains an application by Thomas Richardson on behalf of Messrs Stewart Bros for Licence P. 1500' x 600'. Laying immediately North of M. date of application 11th Oct 1883 date claim was defined on the ground 20th Sept 1883, was accompanied. The owners is it is stated 19th Oct. 83 [illegible] with the proposed Mining Regulations which are now under consideration. I cannot but regret Mr Brassey's decision of Mr Gladstone's absence. It appears to me that the application for Licence should be dealt with under the existing Regulations.

File No. 27. of this Office is an application by Thomas Richardson for Licence O. 1500' x 600', laying immediately North of Licence N. Lease of same application P. date of application 11th Oct. 1883. Date Licence was marked on the ground 20th Sept. 1883. on file copies of it. The owners is of same state same as owners under Mr Gladstone's No. 66.

File No. 29 of this Office is an application by Thomas Richardson on behalf of the Duchess Mr Edmund of Hetton Hunters for a Mining Licence, not numbered or dated, described as laying immediately North of O + P. exact date it was received on this ground by same Mr Edmund on Nov. 15th Sept 1883. This application dated Licence Licence along the line on 1500' 300' on each side of same line

Yours &c

1056

Survey Record to be forwarded to Gen'l Land Office immediately. This application is dated Nov 10th 1883. Rec'd 19th Oct 83 subj to Rec'd Limitations to be heard about Nov 18th W. No fee accompanies this.

File No 28 of this office being an application by Thomas Hallahan for Survey of M.C. Homestead, is similar to the preceding application but in case number one thousand and ten of Mineral Entries. Also has marble of it, being a continuation of Mt. Adams mineral lode, claim now claimed and in 19th Sept 1883. Fee accompanies it. Application is dated 10th Oct. 83. Reply dated 19th Oct 83 Minutes Effect in No 66.

File No 29 of this application by Thomas Hallahan for Survey of Part of Adams, Continue of No 28. Location same as same. Signing same description Mineral of No 28. Also of same date, 1500' in length. Claim was entered on 19th Sept. 1883 Application dated Oct. 10th Reply Minutes C No 66. dated 19th Oct. 83. No accompanies this.

File No 69 of this office, an application by Thomas Hallahan for Survey of Diffuse Patent. dated 10th Oct. 83. Reply same as No 66. dated 19th Oct 83. Fee paid with. Also 1000' North of No 84 Sept Mc Lode. Location being 300' on same vein of same lode about 1500' in length. claim was entered out on 19th Sept. 1883.

File No 68 is an application by Thomas Hallahan for allowing for Public Roadways for a location description on R. Survey 22.72 in length same 9.10 in width lying about NW & W in this vicinity of what is known as Mt Adams Lode. This Centre of R. Also about 103.50 this North of which is marked on Plan of M.C.d. taken on Mt Initial Point A. Application is dated 10th Oct 1883. No fee accompany, Reply dated 18th Oct 1883. Minutes C No 66 The adopted accompany above location G.R.S.T same No. one dated, Post was marked out on Mt Pyramus on Nov 21st Sept 1883.

File No 68. is an application by Thomas Hallahan for Patent Roadways dated 11th Oct 83. for Mining location G lying adjacent P. C. S.Eont. 22.72 x 9.10. no fee accompany

1056

and that he is prepared to conform to all the requirements. This applpt^n is dated the 10^th Oct. 1883. On 19^th Oct 83 reply is sent similar to No 66. With this application is a sketch which shows the veins or lode to be bearing about N 13° W. No fee accompanies this.

File No 28 of this Office being an applpt^n by Dennis Sons & Co^o on behalf of A. B. Hamilton, is similar to preceding applpt^n location laid out in same manner and size as that of McConnell and lies north of it, being a continuation of the same vein or lode, dated same day, stakes were staked out on 17^th Aug 1883. No fee accompanies it. Applpt^n is dated 10^th Oct. 83. Reply dated 19^th Oct similar to that in No 66.

File No 64 of this applpt^n by Dennis Sons & Co^o on behalf of Paul & Travers, similar to No 28. location same size and area. lying immediately north of No 28. 300' on each side of the lode, 1500' in length. stakes were staked out on 17^th Aug. 1883 Applpt^n dated Oct. 10^th Reply similar to No 66. dated 19^th Oct. 83. No fee accompanies this.

File No 65 of this Office, an applpt^n by Dennis Sons & Co^o on behalf of Jefferson Talbot. dated 10^th Oct. 83. reply same as No 66 dated 19^th Oct 83. No fee with it. lies 6000' north of No 64 along the lode. location being 300' on each side of said lode and 1500' in length. states it was staked out on 17^th Aug. 1883.

File No 68 is an application by Francis Rattray as attorney for Philip Saltmarsh for a location described as R. being 22.72 in length and 9.10 in width lying about N 14° W in the vicinity of what is known as the Twin Lakes. The Centre of R. lies about 103.50 due north of what is marked on plan of D.L.S. Nelson as the initial point. A. Applpt^n is dated 10^th Oct 1883.. No fee accompanying. Reply dated 18^th Oct 1883. Similar to No 66 The sketch accompanying shows locations Q. R. S. T and U. and states they were marked out on the ground on the 25^th Aug 1883.

File No 68. is an application by Francis Attwood for Arthur Saltmarsh dated 11^th Oct 83. for mining location Q lying adjacent P. to S. East. 22.72 x 9.10. no fee

accompanies

1056

accompanies, reply dated 18th Oct. 83. Same as No 66.

File No 69 is an application by Francis Retallack for one H.P. Cauliffe dated 11th Oct 83. location S lying adjacent R to the N.West. 22.72 x 9.10. No fee. Reply 18th Oct. 83 same as No 66.

File No 70. an application by F. Retallack for Jarvis Hardie dated 11th Oct. location T. adjacent S to the N West. 22.72 x 9.10. no fee. Reply 18th Oct. 83. Same as No 66.

File No 71. an applt'n by F. Retallack for Dominick Hogg dated 11th Oct 1883. location U. adjacent T to N West 22.72 x 9.10. no fee. reply 18th Oct 1883 same as No 66.

There may be others in which your Co is interested; but I have no means of ascertaining

It will be observed in many of the applications, the applicant states he is prepared to comply with the Govt regulations as soon as any are issued, the first cultivation regulations came into force in the Spring of 1884; but nothing has been done towards such compliance.

I have the honor to be
Sir
Your obedient Servant

W. Pearce
Supt

1056

Mr. Thomas Edison
Menlo Park
New Jersey

My dear Mr. Edison:

I wish to announce to many of the applications, for applicant states he is prepared to comply with the requirements as may be issued, the Patent Authorities among the papers in the Edison Laboratory has been duly executed

Yours truly

Thomas A. Edison

1057

1056 01

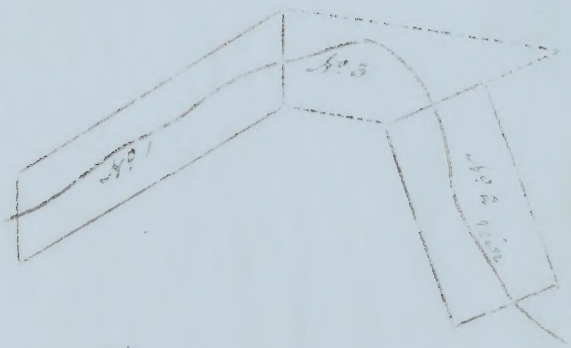
# I. Classify Training.

1056

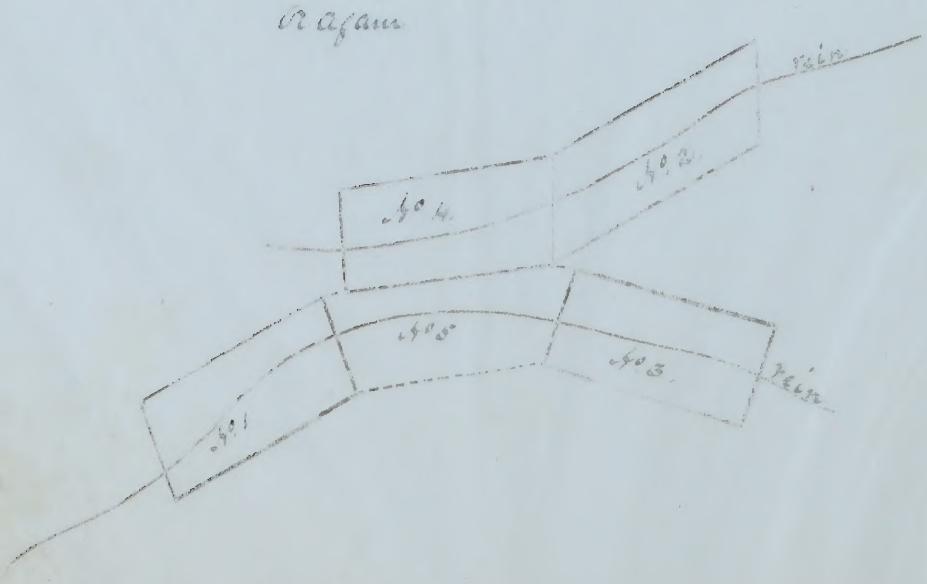
1057

# I. Quartz Mining.

after the word area at end of sentence on second line in Section 3. The surface boundaries shall run in straight lines, the opposite two of which shall be parallel, except where prior rights would prevent such being done, and at the same time take all the desired portion, in which case, it may be of such a shape as to attain the desired object such shape however to be subject to the approval of the Mining Superintendent and if no survey there to according to however it assuming the actual parallelopipedical shape it shall do so.




Again

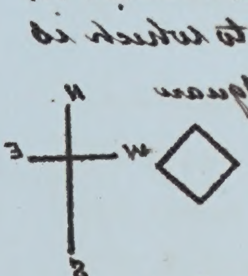


1057
1057

Clause 16. at end of sentence in 4th line of sub: sec (a) shall be added: and when rounded a line must be run with straight joining the said posts. If it be not timbered and the ground of such a nature that any one post cannot be seen from the ends of either of the line which form the angles of the location as said posts then posts flattened on two sides and such flattened portions facing the direction of the line shall be planted or connected along the said line between necessary so that no difficulty will be experienced by a subsequent prospector or explorer in discovering or following the boundaries of any location

In 14th line of clause sub-sec after "distance" add – and magnetic bearing to such next following post.

When locations are not due N & S and E & W and – there may be some doubt as to which is the North easterly post. Thus take a square




It ought to be said that when they are not laid out N & S & E & W for North easterly read Northerly, for South easterly read Easterly, for South westerly read Southerly and for North westerly read Westerly.

When the survey is made the initial point shall be the post which the regulations describe as M. L. 1. a line joining M.L.1 and M.L.2. or the same produced shall be the base distance which

[signature]

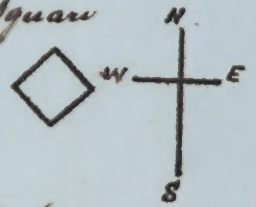
1057

1057

After it. at end of sentence in 4th line of Sub: Sec (a) Sect 4. add. and when wooded a line must be run, cut blazed joining the said posts. If it be not timbered and the ground of such a nature that any one post cannot be seen from the ends of either of the lines which form the angles of the location as said post. then posts flattened on two sides and such flattened portions facing the directions of the line shall be planted or mounded along the said lines wherever necessary. so that no difficulty need be experienced by a subsequent prospector or Explorer in discovering or following the boundaries of any location

On 14th line of same sub sec after "distance" add – and magnetic ~~bearing~~ bearing to such next following post.

When locations are not due N & S. and E & W. lines – there may be some doubt as to which is the North easterly post. Thus take a Square It might be well to add that when they were not laid out N & S & E & W. for North easterly read Northerly. for South easterly, read Easterly, for South westerly read Southerly and for North Westerly read Westerly.




When the Survey is made the initial point shall be the post which these regulations prescribe as No. 1. a line joining M.L.1 and M L 2. or the same produced shall be the nearest distance asked

for

1057

for its application, so long as the same does not interfere with any subsequent location. If however on clearing it is found that he had staked out more than his application called for it shall be optional with the Minister whether he be required to take it at the actual price, or that it be otherwise disposed of as he may see fit.

After "specimen" in last line but one in Sub:
Sec:(B) 1 add, "and deposits with said Agent a specimen of said deposit measuring by cube about one half a cubic inch in bulk."

In Section 7. You suggested that Order in Council should be passed, substituting which a Surveyor is Mining Dept. Superintendent of Mines for Surveyor General.

Sec 13 - After the word area, at end of sentence in second line, add, which shall be bounded by N & S. and E & W. lines astronomically, and its breadth shall equal its length -
Sec 19. In 5th line after the word deposit read "shall be forfeited, but on proving to the satisfaction of the Minister that his application for same, had been made in good faith, he may be granted an area equal to that allowed for other minerals and located where the Minister may direct; and the cost of the location shall be"

Sec: 29:
In eighth line, read: "through a rectangular orifice 2" high by one inch wide.

for in application. So long as the same does not interfere with any subsequent location. If however on survey it should prove that he had staked out more than his application specified it should be optional with the Minister whether he be required to take it at the usual price or that it be otherwise disposed of as he may see fit.

After aforesaid in last line but one in Sub. Sec: (a) add, "and deposits with said Agent a specimen of said deposit discovered by him about one half a cubic inch in bulk."

In Section 7. You suggested that Order in Council should be passed. substituting, while a Surveyor is Mining Insp^r, Superintendent of Mines for Surveyor General.

Sec 13- After the word area at end of Sentence in second line, add, which shall be bounded by N & S. and E & W. lines astronomically. and its breadth shall equal its length.

Sec 18. In 3^rd line after the word deposit read "shall be forfeited. but on proving to the satisfaction of the Minister that his application for iron had been made in good faith. he may be granted an area equal to that allowed for other minerals and bearing when the Minister may direct. and the rest of the location shall be"

Sec: 39:

In sixth line. read "through a rectangular orifice 2" high by one inch wide.

1058

1027

Ref. 46238.
D. 32234

Ottawa Nov 3.

Sir. I have the honor to acknowledge the receipt of your letter of the 20th ult. asking for permission to have three months to open up and prospect certain coal lands and if that mineral be found, test the qualities of the same. Your application has been submitted to the Honorable the Minister of the Interior who has directed me to notify you, that the conditions which have been in one other case accepted will be granted you, viz:-

On specifying within one month the lands applied for, which in no case one exceed one section, you will be granted two months time to enable you to do what you have assigned, subject however to this condition. If within the said two months other parties apply to purchase the whole or any part of the lands specified

I. A. McLean Esq.
Calgary

113

1058

107

Ref/ H12.28.
P. 222.24



Mr. Thos. H. Hare Honourable Sir
I beg to enclose herein a Petition
for permission to purchase Lots
No 1 and 2 Block 4 Section 1 Township
that manner be found that the qualities of
the same. Your applicant therefore submits
to the Honourable the Minister of Interior
who has minuted me to notify you, that the
conditions under how lease is are after
one month will be granted upon
Re specifying within one month the
land applied for as one quarter section
one section upon be granted him
Provide him to make upon
Portions occupied & lodged however in
the condition. Specified the said Lots
Provide also Portion applied to please have
the letter or any part of the land

Yours

1058

specified by you, you will at once be notified thereof and must forthwith pay in the purchase money, otherwise they may be sold to other applicants.

This will enable you to accomplish what you desire at the same time practically meeting no reverse.

Yours truly,

Jno. A. Logan

Register.

1058

Specifies by type, size or area to be
modified. Usual amount for first
four is $10. Updates every fifteen
days or as [illegible] applies.
Supplement

This section applies to exemplar
whether owned or not. Some lines
functionally overlap sections.

Alan Thornhill
Jr.
Johnny Cruz
Phoenix
Supplies Specialist

1059

Ref 4 7223
C. 13111.

1028

20th Nov. 5.

Sir,

In accordance with instructions from the Minister I have the honor to enclose herewith C.O. file #7223. I.M. file No 1807 requesting a report thereon from you.

The draft of letter I see on file and the memo on the application (2) on behalf of Messrs Bullock and Fleming explain on what points your report is requested.

I may mention that I saw Messrs Bullock & Fleming at Dawson yesterday when the matter was discussed, and suggested that fresh applications should be filed in conformity to the mining regulations

Great Britain

Winnipeg

Man.

115

1059

1078

Ref. No. 1911 + 1223

Berlin, den 6. Juni 1911.

Hochgeehrter Herr Professor!

Ich bestätige den Empfang Ihres freundlichen Schreibens vom 29. Mai d. J. und Ihrer Abhandlung über die Theorie der Elektrolyte. Ich werde sie mit Interesse studieren und Ihnen meine Meinung darüber mitteilen.

Mit vorzüglicher Hochachtung

Ihr ergebener

M. Planck

1059

regulations, and further when in surveyed territory these applications should be L. S. or fractional sections of the same. If in a School Section, I stated I did not consider any agent should grant a receipt for the same, but he might forward to the Register for his ruling.

When you were about attending the late Session of the Synod I happened to be in your office, your Assistant referred these applications to me, but time only to glance at them, I directed him to refer to you, that I thought them grossly irregular, but that if you accepted them and they were approved at W. D. Land Territory to pay.

It might be further stated in reply to an interrogatory Mr Bullock could make affidavit by attorney ~~given~~, Mr Kenny stated, Inquiry need only be answered affirmatively.

1059

1059

I would suggest that you refund these parties their entry fees, if returned to N.O. apply for a refund cheque, advise Messrs Bullock and Fleming of your action, and request them to file fresh applications in accordance with the Mining Regulations.

Please return me file with your report and advise me of your action.

I have the honor to be,
Sir,
Your obedient Servant,
J. B. Lance
Superintendent

1059

1060

1029

20 Nov. 05.

The 14th inst. requesting that no notice be given to applicants within the land covered by a map furnished me of certain mining properties in the vicinity of Silver City, claimed by yourself and associates, and in reply to state that the Agent at Calgary has been instructed not to grant any entries for mining locations prior to the 1st day of May next on any portion covered by said plan.

Trusting this will enable you to accomplish what you desire.

I have the honor to be,

Sir,

Your Obedient Servant

J. A. Smart

Deputy

Captain Retallack

" " "

c/o Bank of Montreal

Peterboro'

Ontario.

1060

Le Havre le 9.

Monsieur le Président

Je me suis empressé dès
ce matin de porter à la connaissance
de Monsieur le Président mon
désir de prendre part à la réception
qui doit avoir lieu à Paris
à l'occasion du Congrès de la Fédération
des Sociétés d'Horticulture de France.

Mais je me trouve dans l'impossibilité
de me rendre à cette invitation
n'ayant pas reçu à temps la
carte d'entrée qui m'était nécessaire
pour pouvoir me faire délivrer
un billet de faveur.

Veuillez donc, Monsieur le Président,
me considérer comme démissionnaire
de la Commission
dont vous m'avez fait l'honneur
de me faire partie.

Veuillez agréer, Monsieur le Président,
l'assurance de ma considération
la plus distinguée.

Votre dévoué serviteur

Stéphane Mallet

Président de la Société
d'Horticulture
du Havre.

1030

1061

20 Nov. 5.

Sir,

I have the honor to enclose herewith file no. 47191 of this Office and to instruct you not to accept any applications for mining locations within the tract shewn on the enclosed plan until the 1st of May next.

Please be careful about any applications on the South side of the Bow River in the neighborhood of Silver City. The location of the Railway track is shewn on the plan enclosed. I would suggest that before granting any receipts for applications in that vicinity it might

The Agent of
Dominion Lands
Calgary

N.W.T.

1061

1061 might be advisable to refer them
to me, stating you have
done so in conformity with
this letter, as the same may
conflict with locations claimed
by the Alberta Mining Co.

I have the honor to be,
Sir,
Your obedient Servant

1061

1062

1031

Ref 42874
B5495.

27th Nov. 95.

13th inst. 96548, Concerning the application of Mr. W. Hamilton Merritt to acquire the N.½ Sec 1, Township 26, Range 12 west 5th m. and in reply to state that at present I would consider it very inexpedient to grant the request. The Banff Station Grounds is on this section and should the Hot Springs and Devils Head Lake become sanitary and pleasure resorts, a considerable portion if not all of this section should in the public interest be reserved.

I may mention that I understand in June 1885 one Melvin applied to Mr Burgess to homestead and pre-empt this location. I under-

one

The Secretary
Department of Interior
Ottawa

121

1062

121

1062

one Goss a squatter resided on it for some time and is reported to have sold to one D. B. Woodworth or friends of his. Woodworth in August last applied to make Homestead and pre-emption entry for this ½ Section, but the Agent of course could not accept it.

Description of this section is shewn on D. L. S. Jarrett's traverse of Bow River, made in 1894, and I think it will be found that some if not all its boundaries were established by Jarrett.

It is possible, coal will be found on this Section.

I have the honor to be
Sir,
Your obedient Servant.
W. Pearce
Superintendent.

122

1062

[illegible]

1032

1063

30 Novr. 05.

The 11th inst., Ref. 15047 D.o.m. on M 5046, and in reply to enclose herewith copy of my letter to the Winnipeg Dominion Lands Agent which should be read in connection with this, and if the views expressed therein do not meet with approval, please state what it is considered should be done under these or similar circumstances.

There is one point I should like to be advised on, namely can mining rights be granted in surveyed territory on School sections? If this is not permissable I think the necessary legislation should be invoked to

The Secretary
of the
Department of the Interior
Ottawa.

make

123

1037

1083

30 Nov. 15

Le 1er mai. Mgl. 1915 Jam.
en Le Sud, avec un plein à succès
heureux de cœur de son lettre à Le
Ministre Impression étoile depuis
vitesse étonné Le rend à commerce
suite Etat, avec Le Union important
Interim de est avec suite officiel,
Pleins state étant il à considérer
étonné Le dose sucre Union et
Ministre circonstances.

Avec à empêcher à étonné
Lire à Le admirer en, nouvelle
cas Ministre explicite Le pouvoir
à étonné Lettre en étonné
élection ? Mgl Etat à est à
Impossible à Etat Le nécessaire
Législation étonné Le montant à

Le Secrétaire
Pour
Le Ministre
Le Sous.

Le

1063

make it so and would request that a note be made of this in connection with the suggested amendements to Mining Regulations.

Mr. Whitcher called on me on Saturday last and stated that this mining application had been taken by Mr. Jerome in his absence attending the Session of the Diocesan Synod, and invariably such applications are sent off promptly. Hence he did not look into the matter as closely as he otherwise would have done. Mr. Whitcher also stated that he had written to the parties with a view to having the applications amended as suggested in my letter to him.

He further stated that the first two mining applications

he

1063

[illegible]

Mrs. Stickler called on
[illegible] and
stated that Russian emigration
had been taken up. However
it was observed although the
number of the Chinese should,
and universally was emigration
an asset of humanity. Here is
that not been [illegible]
matter of alleging as the attempted
[illegible] Mrs. Stickler
also stated that he had written
to the Postoffice with a view to
having the application suspended
a sufficient [illegible]
time.

He further stated that
the Russian emigration

1063

he received were perfectly regular, the usual receipts given and the applications sent immediately to H.O. These were returned to him with instructions to refund the parties their entry fees and cancel entries, without any reason being given for such action - the parties being, later on, accorded entries for the lands covered by their original applications.

Mr. Whitcher states also that the practice of granting entries at the Head Office is liable to lead to confusion. The regulations state clearly that they shall be made before the Local Agent. If a claim were to prove valuable no doubt much dissatisfaction, and possibly grave complications, would ensue by reason of double entry - the one at the local Agency, the second at H.O. But there is another feature of the case. Unpleasant insinuations are indulged in by parties who have had their applications refused at the local office on the ground that another application had been made at H.O. They state "one must have influence "to obtain his rights" &c. and

were

1063

le recours aux perceptions
régulières ; le moral reçoit plus
aux la répétition serait
insupportable de vie. Mais
vous voulez le tuer de cette
manière à petit feu aux dépens
d'une santé qui peut encore durer
par vos actes - la peine sera
telle ou, accordée seulement par la
Cour, commuée en peine criminelle
perpétuelle.

Par. Malgré cette
loi la peine de mort subsiste
et le droit pénal la range à
part à cause de son caractère
irréparable. Une expérience
récente a démontré que
quelque soit le degré
de civilisation, aux personnes
sujettes aux crimes de sang
selon - la crainte de cette
peine, la seconde et vie.
Mais dans le cas
d'une erreur judiciaire
de la cour. Supposons
que l'individu ait perdu de la
sorte tout droit civil
reprenne et la liberté en
il prouve être victime
par deux cours et vie. Mais
"ne pourra leur infliger
la réparation qui s'impose". Quel

1063

were it for no other purpose than to prevent anything of this kind, it would be well, I think, that applications should be received only by the Local Agent.

Further - experience has shewn that in land matters, by reason of accepting applications at H.O. the same land has been sold to two different parties, and complications in the financial returns have arisen from the practice of receiving payments at H.O. and through an oversight the Agent not having been advised of same. The same thing will arise in mining locations; but if a claim should prove valuable with respect to which any such complication may have arisen, the feeling will be much stronger than in ordinary land matters and much bad blood may thus at any time be engendered.

Therefore I would most strongly recommend that all applications for mining lands, and payments for same, should be made through the Local Agent.

The original file is retained by Agent Whitcher in this case.

I have the honour to be, Sir,

Your obedient Servant

W. Pearce Asst

Paris, le 29 Juillet 1916.

Monsieur le Président,

J'ai l'honneur de vous prier de vouloir bien me faire connaître si, à votre avis, il y a lieu de maintenir ma mobilisation dans la Réserve de l'armée active, ou si, au contraire, je puis espérer être prochainement envoyé dans mes foyers.

Je vous serais très reconnaissant de vouloir bien me faire connaître votre décision à ce sujet, afin que je puisse, le cas échéant, prendre mes dispositions pour rentrer dans mes foyers. Je vous serais également très obligé de vouloir bien me faire connaître votre décision à ce sujet, afin que je puisse, le cas échéant, prendre mes dispositions pour rentrer dans mes foyers.

Veuillez agréer, Monsieur le Président, l'assurance de ma haute considération.

Votre dévoué serviteur

1033

Copy.

20 Nov. 95.

Sir,

In accordance with instructions from the Minister, I have the honor to enclose herewith Co. file 47228, D.L.M. file no. 6047, requesting a report thereon from you.

The draft of letter to me on file and the memo. on the applications (2) on behalf of Messrs. Bullock and Fleming explain on what points your report is requested.

I may mention that I saw Messrs. Bullock and Fleming at Selkirk yesterday when this matter was discussed and I suggested that fresh applications should be sent in conforming to the Mining Regulations

A. N. Whitaker Esq.

Agent Dom. Lands

Winnipeg

and

Can.

127

1933

Copy.

20 Nov. 33

Sir,

We acknowledge with satisfaction
from the Municipality, & have the honour to
enclose herewith Co. Pfd 11722.6. Sym. Pfd
No. 1897, representing a report thereon
from you.

We shall be glad to hear on file
that the scheme, on the application (2)
on behalf of Messrs. Builders and Planning
Syndicate, is likely possible for report
to recommend.

I am Sir, Your & Yours
Faithfully. Builders and Planning & Estate
Syndicate Ltd. Your
obedient Servant & Engineer Ltd. Your
Syndicate should be sent in
communication to the Planning Commission

C. H. Middleton Esq.

Deputy Town Clerk

Municipality

Town.

and further when in surveyed territory these applications should be L.S. or fractional portions of the same. If in a School Sec. I stated I did not consider any Agent should grant a receipt for the same, that he might forward to the Minister for his ruling.

When you were about attending the late session of the Synod I happened to be in your Office, your associate referred these applications to me, and time merely to glance at them, decided him to refer to you, that I thought them grossly irregular, but that if you accepted them and they were approved at H.O. I had nothing to say.

It might be further stated in reply to an interrogatory how Bullock could make affidavit by Attorney Grier Mr. Henning stated Grier never made any such affidavit.

I would suggest you refund these parties their entry fees - if returned to H.O. apply for a refund Objection advise Messrs. Bullock

(2)

of Hemming of your action and request them to file a fresh application in accordance with the mining reg.

Please return me file with your report and advise me of your action.

I have &c
(Sd). Wm Pearce
Surgl.

(c)

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

1064

1034

R/ 495.69.
D.

18th Jany 6.

Sir I met and being out of copies of mining regulations, have inclosed copy of the Department of Interior Report for 1883 which contains the Dominion regulations at the end thereof.

It is probable that these regulations will be superseded by others in the course of a few weeks which will in some particulars make material changes and would suggest that you write me say about the 1st April next asking for new regulations.

The Dominion Government claim all the minerals within 20 miles of the Railway on each side. The

John Straithern Esq. Provincial
Granville
British Columbia

130

1034

10 34

No. 1034

18th May 6.

I have received a letter of
enquiry regarding the Federal
Grant for the Department of Marine
Report for 1885 which pertains to
Dominion Population at the last
Census.

It is probable that the
Population will be required
by either the Census of June
next which will be our pop-
ulation made up to date
or may about the 1st April next
making for our population.

The Dominion Government does
not intend making any change
the Returns as heretofore. The

Yours &c.

Dominion
Statistician

Provincial Government of British Columbia understand contest that right. It is hoped and anticipated that this point will be settled shortly if necessary through the Courts. In the meantime I will give you the same advice I have given to all on this point that is Conform to both regulations, register your claim under both and no matter how this dispute may ultimately be decided your claim cannot fail to be accepted. My opinion is that the mineral belongs to the Dominion—

I shall be very glad to avail myself of your kind offer of giving me any information you may possess and should anything of interest in British Columbia come under your notice I should only be too glad to be apprised thereof, and if there is any information I may be able to find you do not hesitate to make the request. My duties necessitate my moving about a great deal, hence my replies to

Communications

1064

Province Department of Public
Columbia Provincial Police
Victoria, B.C. Sept 21st
1911.

Superintendent Hall, Chief Provincial
Detective, Provincial Police Force
Victoria, B.C.

Dear Sir:- In the prosecution this
day of Chinese charged with
keeping a Gambling House, Regulation
Chinese under Act and Provincial
Police Constable Wm. Fleming
is called Interpreter. My opinion
is that the Accused Chinese is
Dominion -

Chinese is very fond of
speaking rapidly that all of point
we can understand you may know
our Chief Constable in
British Columbia Com. Interpr
Chinese Officer and he speaks
Chinese very well, our Chief
Superintendent Provincial Police is
Provincial Secret Detective Force
The Inspect. My duties necessitate
my moving about from
Chief Office my Police
Commissioner

1064

communications frequently appear somewhat hardy.

Dear Sir.

Your obedient Servant

W^m Pearce

Superintendent of Mines

per R.

132

1064

Communication from
Upper Peninsular Power

Mr. Dalton Tee.

Re:
Mr. Robert Thomas
Mr. Paul Barnes
Appointment of Trustee
Mr. P.

1035

1065 (copy)

Winnipeg
16th July 6

John Hunt

Hun City of Winnipeg

7816 16th July 4

Manitoba on S.E. part of Big Island
in Lake Winnipeg

John Hunt

Being on the S.E. part of Big Island in Lake Winnipeg bearing about N.W. from Clement's Point on the East shore of said Lake. The dimensions of said location are Length 330 yards, width 165 yards and bounded by lines lying about North and South and East and West.

John Hunt.

Affidavit

1035

1065

1065

1036

Enclosure.

20th May 6

Sir,

In accordance with your request to notify Reparties interested in the dispute over a certain mining location or, or rather in front of Big Island in Lake Nipigon, to meet here and state their grounds of contention; Reparties interested being Mr. J. Beaufort representing the International Mining and Smelting Co. and the adverse claim being represented by Messrs Porter, Hunt, Clendennan and Harvey, I am to say requested that you receive Reparties directing their appearance here on Friday the 11th instant at 10 o'clock a.m. Owners however to be aware

[illegible] Secretary

Secretary of the Department of the Interior

Ottawa.

134

1035

1065

1065



in mailing the notices they did not reach the parties till the 17th, and it was deemed advisable to adjourn this till the 19th. at the same hour which was done, and on that day Messrs Brandfoot Hunt and Harvey filed an appearance, Dr. Clendenning owing illness of his wife wrote Dr. Harvey stating he could not attend. Dr. Porter did not appear though notified by me.

I read over to them all the correspondence and other papers on the file. Neither wished to offer any further evidence nor did it appear that either party disputed the statements of the opposite one, except the statement of Brandfoot that Hunt and his associates wanted $4000.00 for permission to cut a dock on their claim. This is denied most emphatically by them. On the contrary they allege they do not wish that their location should in anyway prevent Dr. Brandfoot & Co

from

1065



135

3.

1065

have access to shipping and are willing that such a right should be reserved in the grant issued to be acquired by them.

Messrs Hunt and associates, Harvey, Porter, and Glendinning base their claim on these grounds:-

Having applied in August 1883 for a mining location, furnishing a plan of survey, they were informed that as soon as mining Regulations were issued they would be entitled to acquire anything they might work under those Regulations. That, as soon as the Regulations were issued, Hunt, proceeded to the locality and staked out claim, made application for same & complied with all the conditions required by said Regulations. That if Rowland or anyone else had claimed to acquire mining lands they should have

136

1065

III

1065

4.

have done so under the said Regulations and only under those. Does not deny he knew of this 1280 acre claim of Dr. Broadfoot, but insists if he had in conformity with said regulations staked out any portion of the same he is entitled to receive the same so long as he does not render it liable to forfeiture. That under said regulation was the only mode by which mining rights could be secured, that he was the first to comply therewith. Further, when he made his application he handed in a pencil sketch shewing said location to be chiefly in the Lake and it was the duty of the Agent then to have refused his application.

On this point Dr. Whitcher has no recollection of such a sketch, and if one was filed it would have accompanied the application in his returns to Head Office. He also states he would not have given the usual receipt (Copy Enclosed) and he knows

1065



[illegible]

1065

it was in the Lake.

It is necessary here to read his application. Mr Hunt contends it is not misleading nor did he intend it as such. It might be observed that the provision for planting within 100 ft at inaccessible points was not intended to apply to such cases as this.

He, Hunt, further states that a considerable portion claimed or applied for by him is not suitable for dockage and shipping, being too shoal caused by the drop deposits running out under the water, and that the water is so shoal that large quantities of ore could be obtained from under the water with very little expense or difficulty.

Mr Broadfoot on his part contends that under clause 2 of the Mining Regulations this location of

Hunt

1065



it never shall be.

It is necessary here to answer the objection. We must endure it must we? it never. It ought to be remedied that objection by pointing out that it is impossible to endure what is unbearable but must inevitably come to an end.

We, then, further state that a permanent position cannot be by law in any country, being for ever subject to the very same uncertainty under which we labour at present. Whether we endure our sufferings or not, we must certainly be relieved from them sooner or later.

We propose first to consider the question from the point of view of the

1065

6

Hunt is not vacant Dominion Land.

Further that this claim is a foreshore right and appertains to his claim, that, if the Government decide on disposing of the same the party who owns the land of which it lies in front should have the first right to acquire the same on what ever conditions might be imposed. That if this be granted to Hunt and associates though the free right across for navigation and shipment were reserved for use of his claim great damage will accrue to his company by creating an adverse and competing interest.

It was explained to both parties that as the points at issue involved both matter of custom & policy it would be referred to the Minister of the Interior to take what action he deemed necessary, and if either wished to supplement what he had urged before me, to do so forthwith, addressed to the Minister

of

1065

139

1065

of the Interior.

the whole of which is respectfully submitted.

I have the honor to be,

Sir,

Your obedient Servant

Superintendent

1065

[illegible]

1066

1037

Calgary 27th May 6

John R. Hall.
Sec. Dept of Interior. Ottawa

Many inquiries about amended mining regulations. Advisable expedite issue. When may they be expected.

Collect

Wm Pearce

1638

Calgary 27th May 6

John R. Hall.
Sec. Dept of Interior. Ottawa

Many inquiries about amended mining regulations. Advisable expedite issue. When may they be expected.

Collect

Wm Pearce

1066

Calgary 27th May 6

John R. Hyde.
Asst. Supt of Mining, Ottawa.
Sir, Inquiries about Summer Mining Regulations. Desirable separate sum. Must when Dist is separated.
Yours Truly
Hyde

1038

Calgary 27th May 6

John R. Hyde.
Asst. Supt of Mining, Ottawa.
Sir, Inquiries about Summer Mining Regulations. Desirable separate sum. Must when Dist is separated.
Yours Truly
Hyde

1039

Calgary 27th May 1886

Sir

1067

I have the honor to request that plans of surveys made by Mr D. L. S. Belanger during last year in the vicinity of Calgary be forwarded the Calgary agent with as little delay as possible, they being required in adjusting certain claims there.

The plans alluded to are. The subdivision of that portion of Sec 10 24 – 1 W 5th lying south of the Elbow River also the plans of portions of Secs 11, 14 & 22 in the same Tp., also plan of Boulevard laid out on south side of Bow River across Secs 17. 16. 22, 15 & 14 in the same Tp. Also plan of line between Secs 13 & 18 same Tp. showing position and nature of improvements on said Secs owned by one Lowery.

I have the honor to be
Sir
Your obedient Servant
J. S. Dennis
Dept

John R. Hall Esq
Sec. Dept of Indians
Ottawa.

142

1057

Melbourne 27th March 1884

Sir

I have the honor to request that you
will arrange with the P.M.G. Melbourne
that I may be in the receipt of
Calcutta & Queenscliff Telegrams
until further notice as I am
leaving Melbourne & cannot
give address.

I am Sir
your obedient servant
[illegible]

Sir
I have the honor to be
your obedient servant
[illegible]

1040

1068

Calgary 27th May 1886.

Sir

I think there must be in your Office a plan of Mr D.L.S. Fawcett's traverse of Bow River, a second plan showing the position of Devil's Head Lake. I thought I had left those maps in this Office but cannot find them. consequently think they must be in your Office. If they can be found Kindly forward them here

I have the honor to be
Sir
Your obedient Servant
W. Pearce
Supt.

W. W. Swinerton Esq
Com[r] Dom Lands
Winnipeg
Man

1068

Belgrad am 7. März 1916.

Sie

I Mainz Nun wurde in dem
Office e Palm of the U.S.A. Consulate
Messrs. of Rom Rein, a dense
Rom Morning the Position of Davis's
Mercer Rein. I thought I had left
Nun wrapped in this Office but cannot
find Nun. consequently Nun May must
be in your Office. At Best even if
Power Nunday Power Nun Rue

Rom Nun Rosen to Sie

Rue

Rom or Rein Power

[illegible]

Rom Nun Rosen to Sie
Mainz

1041

Calgary 27th May 1886.

Sir

In issuing instruction to Mr Allison relative to the Lethbridge Agency I would suggest he be cautioned to exercise great care in granting entries, that the same do not occupy lands which it would be desirable to retain for Water, shelter or Hay. In many cases where he does not the necessary information at his command he might take the parties application with the fee, giving him to understand if in the public interests there was no reason why he should not obtain entry such entry would be granted. If however the reverse was the case his fee would be returned him. It is hoped by the close of this year that a detailed inspection may be made of the Ranching districts and lands which should not be permitted to be entered officially reserved.

All of which is most respectfully submitted

I have the honor to be

Sir

Your obedient Servant

W. Pearce

Supt

D. H. Smith Esq.

Com^r Dom Lands

Winnipeg

Man

144

1041

Calgary 27th May 1886.

Sir

In issuing instructions to Mr. Allison relative to the Lethbridge Agency I would suggest he be cautioned to exercise great care in granting entries, that the same do not occupy lands which it would be desirable to retain for water, shelter or hay. In many cases where he has not the necessary information at his command he might take the parties application with the fee, giving him to understand if in the public interest there was no reason why he should not obtain such entry would be granted. If however the reverse was the case his fee would be returned him. It is hoped by the close of this year that a detailed inspection may be made of the Ranching districts and lands which should not be permitted to be entered specially reserved.

All of which is most respectfully submitted

I have the honor to be

Sir

Your obedient Servant

Wm Pearce

Supt.

H. H. Smith Esq.
Comr Dom. Lands
Winnipeg
Man.

145

1069

1042

William Pearce Supt of Mines Calgary Alberta.

27th May 6

Sir

Could you obtain for me and at what price Swacka's report on Alaska. I am not quite certain of the name being correctly spelled. Send me a catalogue of books for sale by you. There is a report, I dont know the title, which I wish particularly to obtain. It is published in 2 Vol. within the last few years & embodies the results of an investigation by a committee appointed I think 1878 into all the Lands and Mining laws of the United States.

Yours &c

W. Pearce

Messrs Anglim Bros
Booksellers &c
Washington
D.C.

1070

1043

William Pearce Superintendent of Mines Calgary.

26th May 6

Sir.

On my arrival here today in attempting to send a message, requesting it to be charged I was informed it could not be done without authority from You, further the operator refused to telegraph for authority except I sent & paid for message.

As there are few accounts unless I send in duplicates & there accumulated it comes out of my own pocket. Would you therefore authorize your agent to open an account with me For reference as to reliability of payment I would refer you to Mr J. H. McTavish C.P. Ry Land Comr & H. H. Smith Com. Dom Lands Winnipeg Thanks the honor to be

Sir
Your obedient Servt
W. Pearce
Supt

B.S. Jenkins Esq.
Supt C.P. Telegraph Co
Winnipeg

1069

1069

1070

1070

1044

1071

Calgary 27th May 1886

Sir

During the visit of the Minister of the Interior at Calgary last October I was present at an interview between the Minister and John Potter whose application for homestead patent for N W ¼ 18-19-28 W 4th is attached hereto.

The applicant is a member of the firm of Potter and Pelapsier who are raising sheep on an extensive scale, in 1884 applied for and obtained a promise of a lease to the South of High River, but before the lease was executed, such non execution being however through no fault of Messrs Potter & Pelapsier, an O in C. was passed prohibiting the grazing of sheep South of High River. consequently Messrs P & P. could not obtain said lease. They claimed that great loss had accrued to them through this and as he had complied with all the requirements of the Dominion Lands Act of the amendments of 1884. except as to the 3 months residence and breaking 40 ac & that so far as putting 40 ac under cultivation it would be an injury to the land, it being valuable chiefly for grazing, which statement is I think correct, and asked that in consideration of the aforementioned

H H Smith Esq
Com'r Dom Lands
Winnipeg
Man

146

1074

1071

Belgrad 27 Mai 1884

Sir

Herewith I have the honour to transmit to you a Report on the Cholera Epidemic of 1884 in Servia, which I have drawn up from official documents.

The Epidemic commenced in the month of May and continued its ravages till the end of September. It attacked 3 districts, and carried off 1 in 18 of the population. The Epidemic was not severe in the capital, but in the districts it was very severe, and carried off 1 in 10 of the population. The Epidemic was not severe in the capital, but in the districts it was very severe, and carried off 1 in 10 of the population.

I have the honour to be
Sir
Your most obedient
humble servant

1073

Monsieur le Ministre,

J'ai l'honneur de vous adresser ci-joint
la copie d'une dépêche que je viens de
recevoir de M. le Gouverneur de la Cochinchine
française.

Je vous prie de vouloir bien
me faire connaître votre décision
à ce sujet.

Veuillez agréer, Monsieur le Ministre,
l'assurance de ma haute considération.

Le Ministre de la Marine et des Colonies,

Pour le Ministre et par autorisation,
le Conseiller d'État,
Directeur des Affaires Coloniales,

aforementioned loss these non complied with conditions be waived. This the Minister promised to do, strictly on the ground of said alleged loss and instructed me to report to you to that effect when Potter made his application.

During last August I visited Messrs P & P's ranch and found them hard working enterprising men, a class that should be aided as far as consistent with Public interests.

This has been delayed me, waiting for my return and Mr Potter is now afraid he will receive his certificate too late to entitle him to a second entry, They having now moved their sheep north of Calgary when they expect to obtain a lease, he is desirous of obtaining a H on or in the vicinity of his expected lease. If you can arrange it so that he can accomplish what he desires you would I think be aiding a worthy settler.

I have the honor to be
Sir
Your obedient Servant
J. McLeod
Supt

148

1072

1045

27th May 6

My dear Christie

Would you kindly obtain for me the title of that report on the Mining & Land Laws of U.S. which Mr Burgess brought up with him two years ago. Reached here yesterday very warm weather. I understand there is considerable mining excitement in the mountains.

Love to all the boys.

Very truly yours

J. Wm Leaver

1072

A. Christie Esq
Dept of the Interior
Ottawa
Ont

1045

1045

148

1046.

1073

Calgary 27th May 1886.

Sir.

Mr Rowe vacates this building on the 1st of the month, and I understand Mr Gordon has arranged that the Crown timber agent shall occupy the lean to, and the upstairs which consists of 3 rooms. For the present two are all I wish or will require to occupy. and Mr Kerby of this Office desiring to obtain one as a bed room and as I think it advisable some one should sleep on the premises I have granted him that permission subject to your approval and with the understanding that he will vacate it at any time when so desired.

I have read over to him this letter. or rather he has read it himself

I have the honor to be

Sir

Your obedient Servant

J. Lawrence

A. S. Smithsay
Com[r] Dom Lands
Winnipeg
Man

149

1046

1073

Oldenburg, 23. März 1886.

Hochgeehrter Herr!

Ich habe Ihnen die Ehre, Ihnen anliegend die Abschrift eines Briefes des Herrn Dr. Nachtigal, d. d. Kuka, 15. Februar d. J., zu übersenden, welcher mir soeben zugegangen ist.

Ich habe die Ehre, mich

Ihrer

hochgeneigten

Dienerin

Marie Buchholz

geb. Nachtigal

Herrn

Professor Dr. Bastian

Hochwohlgeboren

Berlin

W.

1074

1047

Calgary 28th May 1886.

Sir

I have the honor to apply for permission to purchase that portion of the S.W¼ 13-24-1W 5th lying South of the Bow River from the Canadian Pacific Railway for my own purposes, with the intention of erecting a residence thereon. The area as shewn by the township maps is 116. ac. of this only about 40 ac. are not flooded during high water by the Bow River which gives no larger area than required to keep a couple of horses, and cows, which I would wish to do.

Under the "O in C", appointing me to my present position I am not permitted to purchase lands public or private without the permission of the Minister of the Interior first asked and obtained, and when I spoke to you last Autumn about this you then stated you saw no objection to granting my request which I trust you will now do.

I have the honor to be

Sir

Your obedient Servant

Wm Pearce

Supt

Hon Thos White

Minister of Interior

Ottawa.

150

1074

Belgrave 28th May 1886.

Sir

I have the honor to acquaint you for information of the Secretary of State for War that Lieut. Col. Sir Redvers Buller V.C. K.C.B. has been appointed Inspector General of Recruiting from the 1st June.

The pay as shown by the following will be 1100 per annum. Of this only about 400 will be allowed during duty under Sir Redvers Buller while you are away from regimental duty a couple of years, one year, which I consider will be the

Under the "Order" appointing me to your present position I am not permitted to forward leave applied for personally without the permission of the Minister of the Interior but rather must obtain, and when I depart I pay last attention about this you then state you are objective to granting my request which I trust you will have to do.

I have the honor to be

Sir

Your obedient servant

[signature]

[illegible]

Minister of Militia

Ottawa.

1048

1075

Calgary 27th May 1886.

Sir.

Those squatters on odd secs within the Ry belt are very indignant because they are not permitted to homestead and pre-empt and state they purpose waiting in a body on Sir John and demanding their rights. I am receiving all the blame for their not obtaining all they ask. It appears that the Rev. Peri Lacomb. wrote Wm Scullon last Winter stating I had reported against his claim. If I reported against Scullon I did so on the evidence furnished and from this incident they infer or at least accuse me of working against them.

Would you kindly have copies of all their declarations made, and send me. I would prefer to have the originals and you retain the copies.

I have the honor to be
Sir
your obedient servant
Wm Pearce
Supt.

W. W. Swift Esq.
Com[r] Dom Lands
Winnipeg
Man

151

1048

1075

Calgary 27th May 1886.

Sir.

These applicants or old settlers within the Ry belt are very indignant because they are not permitted to homestead and pre-empt and state they propose waiting in a body on his return and demanding their rights. I am receiving all the blame for their not obtaining all they ask. It appears that the Rev. Père Lacombe wrote Mr Scollen last Winter stating I had reported against his claim. If I reported against Scollen I did so on the evidence furnished and from this incident they infer or at least accuse me of working against them.

Would you therefore have copies of all their declarations made, and send me. I would prefer to have the originals and you retain the copies.

I have the honor to be
Sir
Your obedient servant
Wm Pearce
Supt.

H. H. Smith Esq.
Comr Dom Lands
Winnipeg
Man.

1049

1076

Winnipeg 28th May 1886

Sir

As it is probable I shall during the present be required to inspect the Ranching Country with a view to selecting certain places for water, shelter &c for stock. With that in view I would request the following Tp maps be sent me.

| | |
|---|---|
| Tps 9.10.11 & 12 | R 11 W 4th |
| " ~~9.10.11.12 & 13~~ | " 12 " " |
| " ~~9.10.~~ 11, 12.13 & 14 | " 13 " " |
| " ~~10.11.13 & 14~~ | " 14 " " |
| " ~~9.11 & 14~~ | " 15 " " |
| " ~~9.10.11.12.14 & 15~~ | " 16 " " |
| " ~~10 & 17~~ | " 17 " " |
| " ~~10.17.18 & 19~~ | " 18 " " |
| " ~~10.11 & 12~~ | " 19 " " |
| " ~~12.13 & 14~~ | " 20 " " |
| " ~~7.8.9.10.14 & 15~~ | " 21 " " |
| " ~~7.8.9.14 & 15~~ | " 22 " " |
| " ~~9.10.14 & 15~~ | " 23 " " |
| " ~~8.9.10.13 & 14~~ | " 24 " " |
| " ~~8.9.10.14 & 15~~, 21 & 22 | " 25 " " |
| " 8.9 ~~15.16.17.21 & 22~~ | " 26 " " |
| " ~~9.10.11.12.15.16.17.18.21 & 22~~ | " 27 " " |
| " ~~9.10.11.12.13.14.16.18.17.18.19.20.21 & 22~~ | " 28 " " |
| " ~~12.13.14.15.16.17.18.19.20.21 & 22~~ | " 29 " " |
| " 12.13.14.15.16.17.18 | " 30 " " |
| " ~~17.18.19.20.21.22.23 & 24~~ | " 1 " 5th |
| " 17.18.19.20.21.22, ~~23~~ 24 & 25 | " 2 " " |
| " ~~21.22.24.25 & 26~~ | " 3 " " |
| " ~~24.25 & 26~~ | " 4 " " |

I have the honor to be
Sir
Your obedient Servant

Wm Pearce
Supt

John R. Hall Esq.
Sec. Dept of Interior
Ottawa
Ont

125

1074

Amsterdam 29 Juni 1881

Geachte Heer,

Ik zend U hierbij een aantal
bladen van mijn Atlas, die
ik U reeds lang beloofd heb.
Het zijn slechts weinige
van de vele, welke het
werk bevat, maar ik
hoop dat ze U een
klein denkbeeld zullen
geven van de
wijze waarop
het werk
bewerkt
is.

Met
hoogachting
Uw dw.
[illegible]

1050

1077

Calgary 29th May 1886.

Sir

The Canadian Pacific Railway having decided to stand on their legal rights to odd Sections in the Calgary district it was impossible to grant James House a P. entry to the NW¼ Sec 3-24-2W5th as he desired. He considering from date of his settlement in this Dp in 1875. from which date until 1878 he resided on the SE¼ of Sec 4 same Township and since latter date on the SW¼ 3 adjoining which has been accepted him as a H. that he had a better claim to P. the SE¼ 4, than Sol Fullerton who has resided there only since 1883 or 84. I yesterday visited the land in question and Sol House and Fullerton agreed to divide the SE¼ of Sec 4 between them, House taking the E½ 30 chains of the ¼ Sec & Fullerton the W½ 10 chs the latter states he expects shortly to obtain permission to make entry, it being within a lease. House being there before lease was granted is entitled to H & P his claim without such permission. The amount of wood on the ¼ Sec would not I think exceed 30 cords of good timber and the dividing

The Agent Dom Lands
Calgary.

Calgary 29th May 1886.

Sir

The Canadian Pacific Railway having decided to stand on their legal rights to odd sections in the Calgary district it was impossible to grant James Rouse a P. entry to the NW¼ Sec 3-24-2 W5th as he claimed. He commencing from date of his settlement in this Tp in 1875. from which date until 1878 he resided on the SE¼ of Sec 4 same township and since latter date on the SW¼ 3 adjoining which has been [illegible] as a H. that he had a better claim to the SE¼ 4, than [illegible] Fullerton who has resided thereon only since 1883 or 84. [illegible] the land in question and [illegible] Rouse and Fullerton agreed to divide the SE¼ of Sec 4 between them, Rouse taking the E½ 30 chains of the ¼ Sec & Fullerton the W½ 10 chs. The latter states he expects shortly to obtain permission to make entry, it being within a lease. Rouse being [illegible] before [illegible] was granted [illegible] without the permission. The amount of wood on the ¼ Sec would not I think exceed 30 acres of good timber and the remaining

The Agent Dom Lands
Calgary.

1022

[illegible]

P61



agreed upon between them about equally divides the wood.

You will therefore please grant Hosea H. entry to the SW¼ 3. and P.rt. L. S. 1. 8 and the E½ of 2 & 7. in Sec 4. all in 24-2 W 5th and when Fullerton obtains the necessary permission he may be accorded H entry to the N.E.¼ Sec 4 & P.rt the W½ L. S. 2 & 7 of same Sec.

You will please make one copy of this and attach to your returns of this to H.O. as authority for action taken. and a second copy to C. O. No 1 - the Centre Office is not to be advised of action taken in this case.

I have the honor to be

Sir

Your obedient Servant

J. Pearce

Supt.

From date of Hosea's settlement the price of his P. will be $2.50 per a.c.

1078

1051

23

Calgary 1st June 6

W. F & F Bracin.
Radnor

Make no improvements - West half township
five and twenty-six Range five granted others
What buildings have you and present cash value.

Yours

Wm Lear

1/6/86

1078

1821

155

1079

1052

Re claims by Mrs Patterson filed by Capt. Pelletier. Letter City - Jan 1885 Re claim of Mrs Patterson - Prairie Chicken Creek - Swamp Co ?
Inference through one P. S. Vancouverland.

Calgary 1st June 1886

My dear Pereira

Just before leaving Ottawa the information re within evidence concerning P. S. Vancouverland's claim to the S W ¼ 23. 24 - 1 W 5th reached Ottawa but I dont think I wrote my name thereto. If I remember correctly my memo states that between April 1883 & August 1885 Vancouverland was not residing on the land or in the vicinity. His evidence shows that in 1883 he broke 18 ac. on this ¼ Sec. he also erected a house which he claims cost him $300. As good as it then was could be put up today for $100 then in 1884 he broke 4 ac. some of this breaking has been backset & has grown up to weeds. He got in crop on 2 ac of it in 1883. He never lived on the lot till July 1885 after he knew it was to be subdivided into Villa lots. He came up in the Mounted Police in 1878. remained with them till 1881. when he left. lived in Hay in 1881. Since 1882 lived in Calgary Storekeeping till Autumn of 1883 when he went to Belle City. there he remained storekeeping till Spring of 1885 when Half breed & Indian Outbreak took place he enlisted with Imperial Troops as Trooper & Returned to Calgary in July 1885. Please attach this to Memo.

Yours very truly

W. Pearce

L. Pereira Esq
Dep. Sec. of Interior
Ottawa

1079

156

1053

1080

Calgary 1st June 1886

Sir

Please send me two or three copies of the Map of Morley settlement.

I gave the copy I had to the Rev. John McDougall yesterday

I have the honor to be

Sir

Your obedient Servant.

Wm Pearce
Supt.

John R. Hall Esq.
Sec. Dept of Interior
Ottawa
Ont

1080

Bruxelles le 7 Juin 1881

Mr

Mr le Ministre

J'ai l'honneur de vous prier de vouloir bien me faire connaître si le Gouvernement Belge a l'intention de prendre part à l'Exposition Internationale de Vienne en 1882.

Dans l'affirmative, je vous prierai de vouloir bien me faire connaître quelle sera la nature des objets que le Gouvernement Belge se propose d'envoyer à cette Exposition.

Veuillez agréer, Mr le Ministre, l'assurance de ma haute considération.

Le Ministre de Belgique

[illegible]

Son Excellence
Mr. le Baron de Pitteurs
Ministre des Affaires
Etrangères
Vienne

1081

1054

Unofficial

Calgary 29th May 1886

Sir

On the 8th of Aug. last I wrote you enclosing a copy of a letter addressed to W. D. Kerfoot, requesting, for reasons therein stated, the British American Ranch Co relinquish their right to Tp 24-2 W 5th but so far have gone beyond a mere acknowledgment of the receipt of my communication from said Co received no reply. When the Minister was here last Autumn his attention was directed to this. The reasons for asking such relinquishment last year are much stronger this, and as I understand the B.A. Ranch Co own leases #2, #3 & #4, whose area of 7 2/3 Tps. counting both odd & even equals upwards of 176000 acres. All the stock on this lease will not I think exceed 15000 sheep and 1000 horses and cattle. placing 1 steer to equal 5 sheep, a fair proportion, this is only stock enough for 40000 acres.

It may be urged that it is not good policy to fully stock ranges, granted, but the deficiency in this case is excessive. Again it might be stated that this ungrazed portion is available for any stock running at large

In

A. M. Burgess Esq.
Dep. Min of Interior
Ottawa
Ont

1081

158

Bedford 23rd March 1881

Dear Sir

I am in receipt of your favour of the 8th inst. requesting me to give you my opinion as to the value of the property at present occupied by the Bristol Commercial Bank. I have carefully considered the matter and am of opinion that the present rental of £50 per annum is a fair one, and that the property is worth £1000 to £1200 to a purchaser. I do not think it would realize more than £1000 as the property is not in a position to command a higher rental. The building is old and the roof requires repairing, and the walls are damp. I have not been over the premises for many years, but I should not think they are worth more than £1000 to £1200 to a purchaser.

I am Dear Sir
Yours faithfully
[illegible]

1301

In reply to that - it is contended that - if stock is allowed to run, the leases are liable to drive them off, and at a pace very detrimental to such stock. Further if this lease or a portion of it were cancelled, it could be re-let subject to the present conditions, viz the right to accord thus preventing the hard against Ranchmen Homestead and Pre-emption entry thereon. I have in this presented all the arguments pro & con. as urged by opposite parties, many of the citizens of Calgary being agitators against leaseholders.

Under these circumstances the Minister may deem it advisable to urge the said Co to relinquish a portion of their lease.

You may make this communication official if you see fit.

I have the honor to be

Sir

your obedient servant

Wm Pearce

Supt.

1055



Calgary 1st June 1886

Gentlemen.

By a telegram from Ottawa I was advised that you claimed to have erected buildings on the W½ half of Tps. 25 & 26 Range 5 West of 5th M. for which Tps tenders were called for and have been granted to other parties. You will therefore please abstain from making any further improvements on the lands in question.

Would you please send me with as little delay as possible information on the following points.

1st On what ¼ Sec are your improvements

2nd When were your improvements effected?

3rd Nature and present Cash Value of said improvements?

4th What will it cost to remove your buildings?

5th If the buildings are of logs where was the material obtained.

6th No. of Cattle you have at present and where are they grazing

I have the honor to be
Sir
your obedient Servant
J. M. Pierce
Supt

W. F. & T. Brodie
Ranchmen
Rachnor.
via Dunley P.O.
Alberta

1082
180

Sheffield 14th Sept 1882

Dear Sir

I have to acknowledge the receipt of your letter of the 12th inst. and in reply to your enquiry as to the price of the Steel Castings I beg to say that we are now making them at 3½d per lb. net cash.

We have had a very busy time of it during the last month, and have been unable to attend to any enquiries, but we are now getting through our work, and shall be glad to receive your orders.

Yours faithfully

1056

1083

Calgary 1st June 1886

Sir.

I was called on today by Messrs James O'Connor and George Rickson, (being of the firm known as C. W. Mowbray & Associates) and requested that Sec. 34-24-2 W 5th and 14-25-3 W 5th be reserved for them to test for coal and if they discovered coal they would purchase the same at the proposed price. In support of this claim they stated they had on Sec 2-26-4 W 5th sunk a shaft 10' in diameter and 125' in depth, cased with lumber and backed with concrete, composed of portland cement & gravel. That at present operations were at a standstill owing to water, that they had telegraphed St. Paul to obtain the pumps necessary to keep down the water so that further sinking can be proceeded with: that up to date three hundred dollars ($300.00) had been expended on this shaft / twelve thousand dollars) I visited this shaft two days ago and think this statement reliable. They further stated that if coal was obtained at this shaft they would not wish to have the sections applied for reserved and that they hoped to find coal in about 50' further in depth.

In view of the enterprise

A. M. Burgess Esq.
Dep. Minister Interior.
Ottawa
Ont

161

10576

1083

Calgary 1st June 1886

Sir.

I was called on today by Messrs James O'Brien and George McLeod, (being of the firm known as C. W. Northern Association) and requested that Secs 34-24-2 W 5th and 14-25-3 W 5th be reserved for them to test for coal and if they discovered coal they would purchase the same at the upset price. In support of their claim they stated that they had on Sec 2-26-4 W 5th sunk a shaft 11' in diameter and 125' in depth, and with [illegible] and the other with [illegible] composed of [illegible] cement & gravel. That at present [illegible] was at a standstill owing to water; that they had lately purchased at St. Paul to obtain the pumps necessary to keep down the water so that further sinking can be proceeded with; that up to date they have been expended on this shaft $12000.00 (twelve thousand dollars) I visited this shaft two days ago and think this statement reliable. They further stated that if coal was obtained at this shaft they would not wish to have the sections applied for reserved and that they expect to find coal in about 50' further in depth.

I have the honour to be Sir Your obedient servant

A. M. Burgess Esq.
Dep. Minister Interior.
Ottawa

1083

and enjoy others by these parties I instructed
the agent not to dispose of the articles in question
till receipt of the decision of the Minister in the
case.

In this case I would recommend that
these parties be given the exclusive right to
purchase the articles in question for any three months that after
that date should there be any applications
to purchase the above these parties be given
say 30 days to pay for same at upset price
failing which all claim on behalf of these
parties to lapse.

I have the honor to be
Sir
Your obedient servant
Wm. Pearce
Supt.

P.S. I enclose with this a copy of a communication
of Shaft as far as bank at Carleton and
what his business anticipates shipping
W.P.

501
1083

and energy shown by these parties I instructed the agent not to dispose of the sections in question till advised of the decision of the Minister in this case.

In this case I would recommend that these parties be given the exclusive right to purchase the sections in question for sixty three months from date, that after that date should there be any applications to purchase the same these parties be given sixty 30 days to pay for same at upset price failing which all claim on behalf of these parties to lapse.

I have the honor to be

Sir

Your obedient Servant

J. W. Lear

Supt

P.S. I enclose with this a copy of a cross section of shaft so far as sunk at Cochrane, and what the Mining anticipates striking

W.P.

1057

1084

Dominion Lands Office
Calgary 1 June 1886

Sir

Mr Gordon's letter with enclosures just to hand. containing a complaint by Mr Logan concerning the price of the fract 1/4 Sec^n which he desires to purchase.

In the basis originally adopted for the settlement of all old Settler's claims on the Sas Katchewan, the right to purchase any lands over and above the pre emption at $1.00 p^r acre was not recognized unless it could be shewn by the claimant's agricultural operations that he had reqired, or would have, at date of settlement, purchased, if it had been open for Sale, more than 320 acres for trial purposes. This would not apply in Logan's case. He really was a Shader not farmer. In Reid's case the excess over and above the 160 acres was only about 10, and owing to the position without entailing expense of survey, he could not have, as in Logan's case been limited to 160 acres net.

Further

P. G. Gauvreau Esq.
Agent Dom^n Lands
Edmonton
Alb^a

108

108

Dominion Lands Office
Calgary 1 June 1886

Sir

I have the honor to transmit herewith for your information a copy of a letter addressed to this office by Mr. Thomas Underwood of Calgary, in which he states that he has purchased from the Canadian Pacific Railway Co. the S.E. ¼ of Section 10 Township 24 Range 1 West of the 4th Principal Meridian, and requests that he may be allowed to enter the same as a Homestead.

The Railway Company's Land Agent at Calgary has been instructed to withhold the land from sale pending the decision of the Department in the matter.

I have the honor to be
Sir
Your obedient servant
[illegible]
Dominion Lands Agent

The Secretary
Department of the Interior
Ottawa

1084

Dear Sir,

Please find enclosed my check for $100.00 in payment of your account.

Thanking you for your kind attention to this matter, I remain

Yours very truly,

[signature]

Further proof being offered by Reed. it would appear that he had devoted his attention chiefly to agriculture

It was afterwards decided to extend the time of procuring land to a limited extent beyond 160 acres at $1.00 if settler or claimant was entitled to his preemption at that price. and the decisions were amended accordingly. but for some cause the case of Logan was not so amended it having been overlooked and you will please explain it to him

You will therefore now sell him the portion applied for in addition to his preemption at $1.00 per acre

I have the honor to be Sir
Your Obd't Servant
J. W. Vance
Supt

1058

1085

Calgary 1st June 1888

Sir

I have the honor to enclose herewith certain papers sent me from Edmonton by the Inspecting Gentleman concerning a complaint preferred by one Robt Logan being charged too much for certain lands he desired to purchase. also draft of my reply to Agent. instructing him to sell the portion applied for to Mr Logan at $1.00 per ac.

These papers should I think be made of record in your Office.

I have the honor to be

Sir

Your obedient Servant.

J. Lauder
Supt.

D. H. Smith Esq.
Com. Dom Lands
Winnipeg

1085

1085

Berlin, den 1. Juni 1885

Hierbei beehre ich mich, Ihnen eine
Abschrift meines Schreibens an den Kaiser
Majestät, betreffend Aufhebung des
Verbots, Zeitungen durch die Post zu beziehen,
sowie der darauf ergangenen Antwort
des Herrn Staatsministers, ehrerbietigst
zu überreichen.

Ich

Ihr

ganz gehorsamst

Bismarck

Seiner Exzellenz
dem Herrn Staatsminister
Puttkamer

1086

1059

110856

Seattle, Washington Territory
May 17th 1886

To

Wm Pierce Esq
Winnipeg

Dear Sir

Permit us to call your attention to that part of the North west Territory through which the great Yukon and its tributaries flow. This is certainly a very rich country, we have had prospectors in this District for the past two Summers who have been so far successful in their discoveries that we feel justified in erecting at least a five stamp Mill. which we have already purchased. But before making further expenditure we would like to acquire mining rights and title beyond dispute to our claims

We have been in doubt as to our location being in Alaska. British Columbia or that part of British North America known as the North west Territory. But on ascertaining our exact latitude and longitude. we find that it is in the latter therefore we presume that the Law governing Mineral lands other than coal lands. sanctioned by order in Council of the 7th March 1884 (Vide Statutes of Canada. 47th Victoria 1884 :: Vol 1, page 71 to page 92. applies to our location. would you kindly inform us whether we are correct in our conclusions. Also Vide page 72 Section 4. Subsection (b) "The claimant shall file with the local agent in the Dominion Lands Office for the District in which the location is situate a declaration on oath" etc. Who is the Agent. and before what Commissioner or Justice

1086

1086

166

Detroit, Monroe County
March 17, 1886

Mr. Geo. Clapp
Dear Sir

Permit us to call your
attention to that part of the Detroit Water Service
through which the great Flushes and the Industries
thru. This is entirely a new Service, we have
had Propellers in this District for the past two
Summers into Lake Erie & Detroit River
Channels this part we find Impeded in Freezing at Low
& Pipe Steady Until water is Run Already from
Detroit. But after Running Further Below we
would like to Procure Running Capital Water
Front Supplies
We have Run a double to our Locations Lower
in Elmore. Pontiac Columbus & that part of
Pontiac Water Courses. Thence to the Detroit Water
Service. But we Continuing our Work Lettuce
work Supplied. We Find that it is in the Lower
Stages we Procure that the Low Pressure Pipe
Lines Under other Item Coal Lands Described
Of Case we Cannot Pay Interest on Bonds Issued
Detroit & Lake Erie Co. Pontiac Columbus & that part of
Pontiac Water Courses. Thence to the Detroit Water
Service. But we Continuing our Work Lettuce
work Supplied. We Find that it is in the Lower
Stages we Procure that the Low Pressure Pipe
Lines Under other Item Coal Lands Described
Of Case we Cannot Pay Interest on Bonds Issued

1086 1086

of the Place can we make the necessary declaration? Furthermore by the same subsection it allows us but Ninety days after locating to file said declaration, which would necessarily be made at a great cost, which a large number of Miners now operating in that District can ill afford.

If it comes within your province to appoint a Commissioner and Justice of the Peace, we shall be pleased to pay an efficiency, there may be, to make up his salary after all dues and Commissions collected by him from Miners now operating in that District are first applied to paying his Salary.

Last year about 500 men were mining on Stewart River, latitude 64 degrees North, longitude 137 West, and other branches of the Yukon River to the South, and they brought out a large amount of gold.

This year there will be at least 1000 men in that District whose number will steadily increase, and their supplies are being taken in free of duty.

The Sources therefore from which an income would be derived would be Locations; acknowledgments; Duty on Supplies; Two and one half per cent. royalty on all gold taken out.

We Send you herewith some clippings from a paper published at Sitka, and from Seattle papers, in support of what we say regarding the number of men operating in that region.

What we want is protection and a sure title, and if you can instruct us how to proceed to obtain it, we shall gladly pay all dues

de l'eau. Car ne serait-ce pas merveilleux d'avoir
alors ? Chrétiennes, qu'en dites-vous si
encore ne leur avait point manqué de cette
divine doctrine, sinon pour accroître
l'opprobre de ceux qui refusent de la
croire ? Mais ce n'est pas ainsi que
Jésus-Christ a voulu que nous fussions
éprouvées. Il a voulu que nous
fussions pauvres en esprit, que nous
eussions faim et soif de la justice,
que nous fussions persécutées pour
son nom, que nous fussions traitées
de toute sorte de mal pour lui.
Voilà pourquoi il a voulu que nous
fussions dans la vallée de larmes,
dans la crainte et dans la douleur,
afin que nous pussions, par ces
choses, mériter la vie éternelle.
Il n'est donc pas étonnant que
nous souffrions, puisque nous
sommes dans le temps de la
tribulation. Mais ne craignons
point, car il a vaincu le monde.
Il a dit : Ayez confiance, j'ai
vaincu le monde. Ne craignons
donc point, car il a vaincu le
monde. Ne craignons point
les persécutions, car il a vaincu
les persécutions. Ne craignons
point la pauvreté, car il a vaincu
la pauvreté. Ne craignons
point la faim, car il a vaincu
la faim. Ne craignons point
la soif, car il a vaincu la soif.
Ne craignons point la mort,
car il a vaincu la mort. Ne
craignons point la vie, car il
a vaincu la vie. Ne craignons
point les tourments, car il a
vaincu les tourments. Ne
craignons point les démons,
car il a vaincu les démons.
Ne craignons point les
anges, car il a vaincu les
anges. Ne craignons point
les principautés, car il a
vaincu les principautés.
Ne craignons point les
puissances, car il a vaincu
les puissances. Ne craignons
point les choses présentes,
car il a vaincu les choses
présentes. Ne craignons
point les choses futures,
car il a vaincu les choses
futures. Ne craignons
point la hauteur, car il
a vaincu la hauteur.
Ne craignons point la
profondeur, car il a vaincu
la profondeur. Ne craignons
point aucune autre
créature, car il a vaincu
toutes les créatures.
Il est donc victime pour nous
et grand sacrificateur
éternel selon l'ordre de
Melchisédech. Il a
commencé son sacrifice
sur la croix, il l'a
continué dans le ciel
et il le consommera
au dernier jour.
Mais pour cela il faut
que nous ayons
confiance en lui,
que nous ayons
espérance en lui,
que nous ayons
charité en lui,
que nous ayons
foi en lui, que
nous ayons
crainte de lui,
que nous ayons
obéissance à lui,
que nous ayons
patience en lui,
que nous ayons
persévérance en
lui, que nous
ayons humilité
en lui, que nous
ayons douceur
en lui, que nous
ayons pureté
en lui, que nous
ayons chasteté
en lui, que nous
ayons vérité
en lui, que nous
ayons justice
en lui, que nous
ayons miséricorde
en lui, que nous
ayons bonté
en lui, que nous
ayons sainteté
en lui, que nous
ayons perfection
en lui, que nous
ayons tout en
lui, car il est
tout en nous.
Il est notre
sagesse, notre
justice, notre
sanctification,
notre rédemption,
notre vie, notre
mort, notre
résurrection,
notre ascension,
notre glorification,
notre couronne,
notre récompense,
notre trésor,
notre joie,
notre paix,
notre consolation,
notre espérance,
notre foi,
notre charité,
notre patience,
notre persévérance,
notre humilité,
notre douceur,
notre pureté,
notre chasteté,
notre vérité,
notre justice,
notre miséricorde,
notre bonté,
notre sainteté,
notre perfection,
notre tout en
tout.
Il est notre
sagesse, notre
justice, notre
sanctification,
notre rédemption,
notre vie, notre
mort, notre
résurrection,
notre ascension,
notre glorification,
notre couronne,
notre récompense,
notre trésor,
notre joie,
notre paix,
notre consolation,
notre espérance,
notre foi,
notre charité,
notre patience,
notre persévérance,
notre humilité,
notre douceur,
notre pureté,
notre chasteté,
notre vérité,
notre justice,
notre miséricorde,
notre bonté,
notre sainteté,
notre perfection,
notre tout en
tout.

1085 1086

imposed. A number of our company (six) have already obtained licenses from British Columbia, hoping thereby to acquire an equitable right at least in showing that we are willing to do all in our power to comply with the law, according to the means at hand of obtaining knowledge of that law.

The Senior Member of our firm, G.C. Phinney who by the way is a Subject of Great Britain and his associates will start for the Yukon on or about the 1st of June, and any information on this subject will be thankfully received, especially if received before said date.

Our information concerning this great North West Country is most reliable and gleaned from the explorations of Lieut. Dall, Asst. U.S.C.S. Capt. L.A. Beardslee and Lieut. B. Berry, U.S. Navy Lieuts Ray and Schwatka, U.S. Army, Capt C.L. Hooper, U.S.R.N. the Officers of the "Orga" Expedition, Messrs Nelson, Woolfe, Petroff-Mounden and others and from our own Prospectors in the shape of gold nuggets in sufficient Quantity to justify us in the expenditure of considerable money in opening up our claims, providing we can acquire title.

The proper place to establish a post would be at the Southern end of Lake Bennett which is on the route taken by all miners entering the Valley of the Yukon, and which can be reached easily by Steamer from Seattle to Juneau City, thence by small boat to Chilkoot Village about 100 miles, thence by land thro' Chilkoot Pass 47 miles to Payer Portage thence 8 miles to the head of Lake Bennett

unproved. A number of our Company (six) have already obtained licenses from British Columbia. hoping thereby to acquire an equitable right at least in showing that we are willing to do all in our power to comply with the law. according to the means at hand of obtaining knowledge of that law.

The Senior Member of our firm. S.C. Phinney who by the way is a subject of Great Britain and his associates will start for the Yukon on or about the 1st of June. and any information on this subject will be thankfully received. if previously if received before said date.

Our information concerning this great North west Country is most reliable and gleaned from the explorations of Wm. H. Dall. Geo! U.S.C.S. Capt. L.A. Beardslee and Lieut B. Berry. U.S. Navy Lieuts Ray and Schwatka. U.S. Army. Capt C.L. Hooper. U.S. R.N. the officers of the "Vega" expedition. Messrs Wilson. Woods. Petroff — Newcomb and others and from our own Prospectors in the shape of gold nuggets in sufficient quantity to justify us in the expenditure of considerable money in opening up our claims. Providing we can acquire title

The proper place to establish a Post would be at the Southern end of Lake Bennett which is on the direct route by all miners entering the valley of the Yukon. and which can be reached easily by Steamer from Seattle to Juneau City. thence by small boat to Chilkoot Mission about 100 miles. thence by land thro Chilkoot Pass 47 miles to Payer Portage thence 8 miles to the head of Lake Bennett

1086 1086

which point is within the boundary line of the North west Territory

Hoping that you will give this your earliest consideration while Praying for your indulgence

Permit us to Remain re

Sgd G. C. Phinney & Co
Bankers and Brokers
Seattle. W. T.

1086

1086

169

which must be within the boundary line of the
North West Territories

Asking that you will give this your
earliest consideration which favour you
will confer

Yours truly

Jas. E. C. Kinney Esq
Barrister &c Notary
Bracebridge Ont.

1086 1060

Extracts from Newspapers referred to in annexed Letter –

"News from Alaska"

* * * * * * *

* * * * * *

"The great excitement prevailing around Sitka
"at present is the fever to go to the Yukon Mining
"Region. Miners set out in canoes or any other
"possible conveyance to Chilcoot and from there
"they proceed as fast they can to the gold fields.
"They report good placer diggings in abundance
"but such reports always need the confirmation of
"at least one year's prospecting"

* * * * * *

"The Leo's Arrival"

"Mining notes from the Northern Land"

* * * * * *

"The Yukon River"

"is on the increase. Numerous parties are daily
"leaving Juneau by canoe for Chilcoot where the
"long trail is taken for the Stewart River Country.
"One hundred had gone from Juneau upon the Leo
"sailed. and a party of twenty were ready to begin
"their canoe trip on the day the Leo sailed for the
"South –"

"The Treadwell mine on Douglas Island has
"been in constant operation for the past few weeks"

1086

Cette année nous espérons pouvoir
commencer plus tôt -

" Nous irons Cadaire "

* * * * * * * * * * * * *

" Elle devait entendre joyeusement crever cette
" abcès. Nous nous retirerons ensuite sans
" regarder derrière soi. Nous nous retirerons
" dans notre chambre et nous nous
" serrerons les uns contre les autres
" et nous ne ferons pas de bruit. "

* * * * * * *

" Elle dansa encore "

" Jeanne avec nous sur notre lieu "

* * * * * * *

" Elle fuyait nous "

" Je ne sais vraiment. Nous nous perdîmes en route
" dans la forêt et tournâmes autour de l'étang
" sans jamais en trouver la sortie. Nous nous
" retrouvâmes enfin à notre point de départ
" et jamais je ne pourrai oublier l'horrible
" cauchemar -

" Mais pour Cadaire

" Elle devait entendre joyeusement crever cette
" abcès. Nous nous retirerons ensuite sans
" regarder derrière soi. Nous nous retirerons
" dans notre chambre et nous nous
" serrerons les uns contre les autres
" et nous ne ferons pas de bruit. "

* * * * * * *

" Elle dansa encore "

" Jeanne avec nous sur notre lieu "

* * * * * * *

" Elle fuyait nous "

" Je ne sais vraiment. Nous nous perdîmes en route
" dans la forêt et tournâmes autour de l'étang
" sans jamais en trouver la sortie. Nous nous
" retrouvâmes enfin à notre point de départ
" et jamais je ne pourrai oublier l'horrible
" cauchemar -

" Mais pour Cadaire

10856 1086

Calgary 1st June 1886

Sir

I have the honor to enclose herewith copy of a letter received from G. S. Phinney and Co. Bankers & Brokers of Seattle W.T. having reference to mining rights in the North West Territories, a short distance East of Alaska.

If what he reports be true would it not be advisable that an Official be placed there who could act as Customs Officer and also as agent for receiving applications for mining claims. I met the other day one James McDougall of the H.B.Co. who has been through the territory in question and reports that the probability is it will prove very rich in gold & silver. He stated he had been informed that the U.S. authorities had made a proposition for a re-adjustment of the B.Cy between Alaska and the North West Territories and if this request were granted this mineral fields would become part of the U.S. He further states that when in Winnipeg the other day he consulted Schwatka's report on the district, a copy of which was in the library of the Manitoba Historical Society and found a large portion of his report had been

A. M. Burgess Esq.
Dep. Minister of Interior
Ottawa.

Calgary 1st June 1886

Sir

I have the honor to enclose herewith copy of a letter received from G. S. Chinery and Co. Bankers, Bankers of Seattle W.T. having reference to mining rights in the North-West territories, a short distance East of Alaska.

If what he reports be true should it not be advisable that an Officer be placed there who could act as Customs Officer and also as agent for receiving applications for mining claims. I met the other day one James McDougall of the H.B.Co who has been through the territory in question and reports that the probability is it will prove very rich in gold deposits. He stated he had been informed that the U.S. authorities had made a proposition for a re-adjustment of the 141st between Alaska and the North-West Territories and if their request was granted this mineral field would become part of the U.S. He further stated that when in Winnipeg the other day he consulted Schwatka's report on the district, a copy of which was in the library of the Man. Historical Society - and found a large portion of his report had

been

A. M. Burgess Esq.
Dep. Minister of Interior
Ottawa.

1085

been cut out after the book was bound and paged. & that he believes it was the portion which referred to this Rivers field. I have sent to Messrs Morrison Bro: of Washington dealers in second hand books, asking report what report for a copy of Ball's report. If I succeed in obtaining it I will look closely into this.

Would it not be well to send up from Victoria this summer a reliable man to institute inquiries and report on this field. It might be it would prove on being well worth looking after.

Enclosed with this also a copy of my reply to Messrs Phinney & Co: which if it contains anything not approved by you please correct and advise me.

I have the honor to be
Sir
Your obedient Servant
[signature]
Supt

1085

been cut out after the book was bound and paged. & that he believed it was the portion which referred to this Mineral field. I have sent to Messrs Anglin Bros of Washington dealers in second hand books, chiefly departmental reports for a copy of said report. If I succeed in obtaining it I will look closely into this.

Would it not be well to send up from Victoria this Summer a reliable man to institute inquiries and report on this field. It might be it would prove one very well worth looking after.

Enclosed with this also a copy of my reply to Messrs Phinney & Co. which if it contains anything not approved by you please correct and advise me.

I have the honor to be

Sir

Your obedient Servant

J. Fraser

Supt

110856 1086

Rough Skeleth taken from Arrowsmith's Map.

1086




Rough Sketch to show from Harrow's valley Map.

1061

1087

1st June 6

Sir

According to agreement with you this writes you date Parliament prorogued I will hold investigation into Banff Springs question. Should Parliament however prorogue on a Friday or Saturday the investigation will be held this week from following Monday. I am writing you this notice in advance so that you will have ample time to reach Banff. I leave tomorrow for the South out of probable reach of telegraph communication, but will be back in time for said investigation

I have the honor to be

Sir

Your obedient Servant

J. Lowe

Supt

D. B. Woodworth Esq M.P.
House of Commons
Ottawa
Ont

174

1061

1087

Mein

Dein

1062

1088

Calgary 1st June 1886.

Sir

I have the honor to acknowledge the receipt of yours of the 17th ult. addressed me at Winnipeg, but which reached me here only a day or two since.

The Mining regulations to which you allude are the ones in force at present. It is probable there may shortly be amended in a few particulars, but not of moment in your case.

The regulations are not intended to demand impossibilities and in your case should you not be able to file your claim within 90 days, should you use due diligence in filing same you would not forfeit your right, should considerable more than that number of days have elapsed. When the point at issue is not between two individuals contestants, but between the claimant and the Crown, a great deal of elasticity is shown by the Crown, so long as there is anything to show the bona fides of the claimant. In your case the nearest Dom Lands Agent to the Lands in question you will find at New Westminster B. C.

1088

175

Leipzig, 1. Juni 1881.

Hr. [illegible]

1088

I have this day forwarded your communication to the Hon the Minister of the Interior urging if possible some one be appointed as Sub Agent for the district you allude to, which agent would have authority to receive and act on Mining applications.

If in the future there should be any information I would be able to give you I will be only too glad to do so.

If you wish for copy of our Mining Regulations in pamphlet form, by addressing the Sec. of the Dept of the Interior Ottawa the same will be furnished. Would send you one from here, but have none on hand waiting for a new issue which is expected shortly.

I have the honor etc.

Sir

Your Obedient Servant

Wm Pearce

Supt

A. E. Penney Esq

Bankers Hotel

Seattle

W. T.

176

1088

I have this day forwarded your communication to the Hon the Minister of the Interior urging if possible some one be appointed as for Agent for the District you allude to, which agent would have authority to receive and act on Mining applications.

If in the future there should be any information I would be able to give you I will be only too glad to do so.

If you wish a copy of our Mining Regulations in pamphlet form, by addressing the Sec. of the Dept. of the Interior Ottawa the same will be furnished. Would send you one from here, but have none on hand waiting for a new issue which is expected shortly.

I have the honor to be

Sir

Your Obedient Servant

J. Lowe

Dept.

G. le. Phinney & Co.

Bankers & Brokers &c

Seattle

W. T.

1089

1063

Private

1st June 6.

Dear Mr Burgess

I was up yesterday at Rowley with what success as far you will see from letter written to Mr White copy enclosed. From what I had understood from his bro. Fred I thought he would jump at the offer of moving to the South of the River, but he did not. I believe he would move if not for his wife. She dreads the isolation across the River. However I think there should be one head to every household & if a man thinks his wife cannot adorn his affairs better than having he should let her do it. This divided authority is conducive to bungling. I think he is a little of the obstinate style. Inc.d this morning your telegram re Bridin. I don't think his buildings can amount to

1089

177

1083

871

1089

to very much. Any expression of Breckin is that he is considerable of a fraud. He is the Breckin who had the racket with timber Limits / crown timber agent Anderson/ at Edmonton over Billy J who 13 & 15 yrs and it would be strange if Breckin & White would get into dispute over this. When the name Breckin came up I inferred it was Breckin of the Calgary Herald.

Compts to all the boys.

Very truly yours

W. Pearce

Unofficial

1064

Calgary 1st June 1886.

1090

My dear Sir.

I have given your case considerable thought since I parted with you yesterday and have thought it advisable to write you fully in this matter that you might have all the information I possess and from that you would be in a better position to decide what was the better course to pursue.

In Feb. 1885. I think early in that month I was present at an interview between the Rev. Dr Potts and the Rev John McDougall on the one part and Sir David Macpherson on the other. The Rev John McDougall presented a petition on behalf of the citizens of Morley asking that a survey similar to the one that was effected last year by Lt P. A. Belanger. D.L.S. be made. Sir David replied he would refer this to his Departmental Officers and promised to give the matter his most favourable consideration. The result was that the survey was granted. They based their claim on three grounds. 1st That they had among them sufficient stock to occupy the land claimed, at the rate prescribed by the grazing regulations viz 1 head per 10 ac. That as settlers they were entitled by complying with the H. provisions of the D.L. Act. to 160 ac each and they were prepared to purchase the remainder at $1.00 per ac. which was from a financial stand point more advantageous to the Govt than leasing it at 1ct per ac per annum. I may tell you frankly that I think the Govt have committed themselves sufficiently to warrant any retraction therefrom were should such be desired. Shortly after you applied for your lease and obtained it, but I take

Francis White Esq
Morley
Alb.

179

1064

Sufficient

1090

Calgary 1st June 1886.

My dear Sir.

I have given your case considerable thought since I parted with you yesterday and have thought it advisable to write you fully in this matter that you might have all the information I possess and from that you would be in a better position to decide what was the better course to pursue.

In Feb. 1885 I think early in that month there was present at an interview between the Hon. Mr. White and the Rev John McDougall on the one part and Mr. David McPherson on the other. The Rev John McDougall presented a petition on behalf of the Citizens of Morley asking that a survey similar to the one that was effected last year by Mr. P.A. Belanger. D.L.S. be made. Mr. White replied he would refer this to his Department officers and promised to give the matter his most favorable consideration. The result was that the survey was granted. They based their claim on these grounds. 1st That they had among them sufficient stock to occupy the land claimed, at the rate per ac. allowed by the grazing regulation viz 1 head per 10 ac. That in addition they were entitled by complying with the H. provision of the D.L. Act to 160 ac each and they were prepared to purchase the remainder at $1.00 per ac. which was from a financial point more advantageous to the Gov.t than leasing it at 1ct per ac per annum. I may tell you frankly that I think the Gov.t have committed themselves sufficiently to prevent any other claim therefrom ever should such be desired, shortly after you applying for your lease and obtained it [illegible] [illegible]

Francis White Esq.
Morley
&c.

1090

take it, that from what preceded the granting of your lease, the Minister cannot limit each settler to 320 ac. but will require to grant each what has been allotted by the survey unless after a reasonable time through failure to pay for same, it might then be at the disposition of the Govt. Some of these parties are not eligible as Homesteaders but there can be no reason urged against sale to them and for stock purposes the area is not excessive. From evidence furnished by these parties they have or had in Dec 1885. upwards of 950 cattle and horses, 10 ac. for each equals 9500 ac. the area embraced by this survey being in round numbers 8800.

It might be urged that the lot Claimed by Angus McDonald at all events belonged to the lease which you acquired, or at most he should not be granted more than 320 ac. I urged that view in discussing this matter yesterday with the Rev John McDougall and he stated in reply that at least two years ago Angus McDonald was notified by E. R. C. McDonald, known as the Laird, that he had abandoned all claim or intention to retain this lease and advised him to sell off any thing belonging to him & pay the debts, this he Angus did and since then has been working & living here as a settler as much so as anyone in the Country.

When the dispute arose between you and the Rev John McDougall last autumn you were allowed to winter there, which was as far as the latter would concede. He has received such assurances regarding this claim both from Indian & Interior Depts that if you stay you must move, more you will require to do. and he

of settlers the Methodist Church of Canada

seems

1090

seems determined you shall have. He is now fencing in the corner and I would direct your attention to one point, so soon as this lot is fenced less than 1¼ miles of fencing will connect the South-West corner of the Orphanage claim with the fence already erected near the corner of the lot claimed by the Rev. John McDougall. A further enclosure of a fence of 1½ miles due East from N.E. corner of the Orphanage claim will reach the Ghost River. practically the whole of the settlement is enclosed and you are cut off.

Again I understand that several claims are pegged to lands in rear of the settlement and the result may probably be that the Govt will be compelled to give you notice of cancellation of lease at expiration of two years and during that interval you will be limited in area, and harrassed by neighbours who will make life miserable to you. Already petitions have been presented requesting that sheep be not allowed on your range, that they will destroy the cattle pasturage, and that the fences are so built that your sheep go through them, destroying any crops, that to render this fence of such a nature as to prevent sheep going through will entail very considerable and from this point of view very unnecessary expense. If people make up their minds to find fault, they will soon discover multitudes of opportunities for so doing. and I thereby mention these as illustrating.

On the other hand the Rev John McDougall corroborated by David asserts after 12 years experience that South of the Bow is just as good for Winter pasturage as the South. that there are good places for corrals & buildings

1050

8

1090

1090

that being near the Ry will be an advantage to a sheep ranch. In coming down yesterday it struck me that near the Bow River, about ¼ of a mile below where the Ghost empties is a very nice location for buildings. The high bank to the South affording considerable shelter. Further that by having the good will of the Indians, which would I think be obtained by giving up your present location you could have pasturage on thousands of acres on the East end of this Reserve, as there is no settlement of them within seven miles of the East end of this Reserve and it will be many years before it will probably be fenced. That this will even on the South side would not be desirable

I am aware that it is not a pleasant prospect to Mrs White to live isolated on the South side; but in life "it is the unexpected that is certain to happen" and it may be that in a very short time she may find herself more pleasantly situated than she dare at present hope.

The Rev John McDougall on his last visit on behalf of the settlers to take an assignment of your lease paying all the rental you paid except the last year. On behalf of the Govt I offer you the W½ of Tp 25, & that portion of the W½ of 26 lying South of the Bow River all in Range 5 W. of 5th. I find that the E½ of the last Tp lies within the Cochrane lease. As however this Co are grave delinquents in the matter of stocking this lease I think on request from the Minister they would relinquish the E½ of 25 & that portion of the E½ of 26 lying South of the Bow River and I will do all I can to obtain this for you.

1090

There is another point remaining to be arranged on which I thought over and that is the loss incurred by you in moving your buildings. If there is any way in my power to make good a portion of this loss I will be only too glad to do all I can in that direction. It is probable that if this matter can be amicably arranged between you and the Township people they might to some extent assist you in removing your buildings. In considering however any claim you may have against the Govt on this account it will be well to bear in mind that before you took possession of your present location in this present position you signed a letter to the effect that to any extent you would in some measure make good to Govt loss I am prepared to recommend to the favorable consideration of the Ministry that portion of Lot 18-24-14 5th allotted you be sold you at the minimum price prescribed by the regulations.

Now my dear Sir I have candidly put before you all the points against the ground you stated yesterday you had about concluded to take. viz. stand on your legal rights under your lease. Having considered this fully will you please let me know the conclusions you have arrived at.

Believe me Dear Mr White

Yours very truly

J. Clarke

1030

Dear Sir,

Yours very truly,

Peter

[illegible] point remaining to be [illegible] Having left over and that is the [illegible] referred by you in securing your buildings. If I [illegible] any way in my power to be of service to you I would be very glad to do all I can in that direction. It is possible that if this matter can be amicably arranged between you and the Bowling people they might be induced assist you in securing your [illegible] In connection however any claim you may have against the [illegible] I would call your attention to the fact that you have covenanted with [illegible] to [illegible] and make good [illegible] fixtures. I am prepared to recommend to the favourable consideration of the Board of Trade Section of Lot 18-24-14 5th all that you be sold you at the minimum price prescribed by the regulations.

Now my dear Sir I have summarily put before you all the points against the ground you stated possibly you had about concluded to take. Six stand on your legal rights under your lease. Having considered this fully will you please let me know the conclusions you have arrived at.

Believe me Dear Sir Yours

Yours very truly

J. T. Lance

Memo

1065

1091

Calgary 2nd June 1886.

Re application by Donald Ross to obtain right to mine for coal of lot 8 Edmonton, the property of David McDougall.

I met Inst. D. McDougall at Dunlop on the 31st Inst. and requested he would grant said permission, which he did willingly, stipulating that he should be remunerated for any actual damage which such mining might cause to the lot in question.

I also met the Rev Mr Howard Methodist Minister at Edmonton and he assured me that his church was prepared to accept mining rights on lot 6 Edmonton [illegible] at a Provincial Royalty. If that be granted Mr Ross he will be amply protected in his coal mining enterprise.

This application for mining rights on lots 6 & 8, was made on Ross's behalf by the Hon James Turner of Hamilton. I am not certain whether it was a verbal or written application, and I would request that Inst Turner be notified of the terms of this memo.

Respectfully submitted

W Pearce

John R. Hall Esq.
Sec Dept of Interior
Ottawa
Ont

185

1052

1091

1066

1092

Dominion Lands Office
Calgary 14 June 1886

Sir

In response to your telegram to report all cases alluded to in the Calgary Tribune of the 29th ult. I have the honour to report as follows. The delay has been occasioned by absence in the vicinity of Fort Macleod from which point I returned on the 12th instant (Saturday night).

I might state that when my attention was directed to that article I called on the Editor of that paper as Mr. Bailey the proprietor being absent in British Columbia. I stated I regretted he had written such an article without first calling at the Office, distant about forty feet, and enquiring into the facts which would have been readily given, that I felt if he had done so he would not have penned such an article. His reply was that if the effect of his editorial would enable any one of these to obtain more favorable terms than had been accorded he would be justified in writing an even stronger editorials. My remonstrance seems to have had for from a beneficial effect judging by his article of the following week. Mark Sir

The Honorable White
Minister of the Interior
Ottawa

The

1092

186

1092

The conversation between us as reported in the latter article never occurred so far as Ruttle's case is concerned - The cases alluded to are

1st John Robinson
2 N. Bebo
3 T. Hanson
4th Napoleon Marcotte
5th T. Gamsby
6th Wm Scallon
7th Joseph Ruttle

1st Re declaration of John Robinson dated 5th August 1885 - it appears he came to this country in 1882, claims the S½ 5. 23. 1 W3 - as a homestead, the S.E¼ as a pre-emption - first made improvements in winter of 82-83 commenced residence in March 1883, the southerly limit of this section was surveyed in the summer of 1887 so that when he entered he knew or might have known he was on an odd section, and he was advised then that there was no probability of being granted entry as desired - His reply was the land was so rough he believed the C.P. Ry would not accept it - He was told by me that if that Railway rejected he would probably receive entry - For full correspondence see A.D. file 9367 - He values all his improvements at about $700.00

2 - Nelson Bebo - The file in this case is not

1092

3

is not here - for full details see N.C. file No 9.639 - Rebs came to this country in same years as Robinson settled together at same time or same section. Rebs taking the north half - Rebs had no stronger claims to entry than Robinson and was tendered the same advice or opinion - For value of improvements see file mentioned.

3rd - There is no record here of the claim of one T. Hannon - It may be that it is a misprint and is meant for one among those embraced in this report and not mentioned in the foregoing list.

4th Napoleon Nugette settled on a portion of section 3 in April 1887. during the present winter drew out some logs for a barn - am not certain whether his improvements are on the north-west or south East quarter of this section - They are not extensive probably worth $25-00. The southern limit of this section was run early in the season of 1887 at which date he had made very little improvements.

5th T. Gaunby like No 3 there is no record, probably a misprint meant for one of those embraced in this report.

6th Wm Scallon came to this neighborhood in 1877. lived at the R.C. Mission on section 10 is a brother of the Revd C. Scallon ex R.C. priest - He lives near the mission

1092

183

3

1092

Mission property as servant to that mission till June 1882 when he moved on section 9. Twp 24 which is adjoining the mission property being W½ 10. 24. 1 W5 - In 1879 bought out the improvements of a half breed which consisted of two or three acres of breaking, states that so soon as surveys were sufficiently advanced to enable him to know where the certain lines were he moved on this section - The Eastern limit of this Township was established not later than July 1880, the southern early in the following summer, so that until July 1880 he could readily have ascertained the boundaries of the section - In this case the Land Commissioner of the C.P.R. stated his Company would make a gift or sell to Mr. Scallen at a nominal figure a reasonable area to cover his improvements, it being adjacent to the townsite of Calgary is considered very valuable - Mr. Dunker D.L.S. visited the claim in question a few days since on behalf of the C.P.R. Company with that point in view.

7th Joseph Rattlin called on me in October 1884 and stated he had filed his declaration - I asked for it found that it had been taken on a form used in Homestead cancellations not this

not the one used for squatters in advance of survey. As the form used did not suit cases such as this I took his declaration on the correct one, the land claimed then by him being the west half section 33. 23. 1 W3rd though from surveyors returns it would appear at survey he claimed the north-west quarter 33 as a homestead and the south-west quarter as adjoining as a pre-emption. The northerly limit of this section was surveyed early in the summer of 1887.

In his declaration taken by me he states "In the fall of 1880 the house was erected for me by one Marsal dit Roselle. In the fall of 1881 I commenced residence and since then have not been absent more than about 6 mos. in all at different times. I came from Kingston Ont in the Mounted Police in 1874 left the Police in May 1880 or about that time. since leaving the Police I was employed for one year for the Cochrane Ranche Co. remainder of the time farming."

He states he had in all 10 acres broken 6 acres cropped building and fencing which he valued at that time at $425.00 In the closing part of his declaration he states "In 1882 I applied by letter to the Minister of the Interior asking to purchase the above quarter East of the Elbow.

1092

190

1092

Yours

Elbow - I applied again to the Minister through Wm McVicar but obtained no satisfaction - I think from date of my residence on the claim that I am entitled to the first right to the stone quarry which is wholly on the N.W.1/4 of this section."

It appears however in his declaration taken on the 24th July 1884 before Mr Cayley that a clerk in the Dominion Lands Office he states he began residence on this claim in winter of 1880 - It may be that he is entitled to entry and he was told by me that if he wished the case reopened to argue again at date he commenced residence it would be done on his request - In reply he stated that the Rev Mr Macoubre had reported that I had reported against all claims on odd sections and he would never get justice from the Land Board - To satisfy him that everything that the Land Board could do to protect him and others had been done I read over all the correspondence from which it will appear to any unprejudiced individual that everything possible has been done - He has been indulging in a good deal of extravagant language particularly against myself - making statements which he knows to be false, that is assuming he stated what has been reported to me.

I have

1092

I have since gone to a good deal of pains to ascertain the facts in his case which are as follows - He left the Bliss about May 1880 during the following winter he was butchering at Morley for contractor furnishing beef to the Indians on that Reserve - During the summer of 1881 he butchered for a few months for the Cochrane Ranche Company since then he lived for a few months on section 14 East of the Elbow and his wife's brother one Roselle a half breed lived on this claim so that it is doubtful if he really commenced his residence on the land in question till 1882 at all events he could not be considered a bona fide squatter prior to that date.

I have gone thus fully into this because of the accusation hurled at the Land Board by the Calgary Tribune on the 5 instant - Rattin asked for and obtained a copy of his declaration taken by Mr Cayley dated 24 July 1884. but to present Rattin misleading parties thought I wrote across the face of it that the evidence on this was not the same as had been submitted to the Land Board - If that Journal's Editor saw that he might think in ordinary fairness or courtesy have stated the facts as they were.

Rattin values this land chiefly as a stone quarry - When he applied to me in 1884

1092

192

in 1884

a little cheese. Mamie called me a
little coward. Cousin Ida and Ralph
were there. Ralph and Mamie went
home early in the evening & Ida
and I went to bed. My feet were so
cold that I could not get them warm
enough to go to sleep. I was afraid
I would have to get up and go down
stairs & get warm. Finally I got
them warm enough to go to sleep.
Ida and I got up at 7 o'clock
this morning. Ida left for home
at 8 o'clock. I went to church
this morning & heard Mr. Hall preach
a very good sermon. He took for his
text the 8th verse of the 5th chapter
of Ephesians. "Walk as children of
light." He said that we should
walk in the light of God's word
and that we should not walk in
darkness. He said that we should
not be ashamed to let our light
shine before men. He said that
we should not be ashamed to
confess Christ before men. He
said that we should not be
ashamed to let our light shine
before men. He said that we
should not be ashamed to let our
light shine before men. He said
that we should not be ashamed to
let our light shine before men.

1092

Mr
Mrs Frank Curtis
Cedar
Mich

Dear Mrs Curtis:

Your letter of the 15th is at hand and I am very glad to know that you are interested in the Cedar Lake property. I am sorry that I cannot be there myself to show you around, but I am sending Mr Ed Hall who is perfectly familiar with the property and will be glad to show you around. I am sure that you will be pleased with the property and I am sure that you will be pleased with Mr Hall. He is a very nice man to meet and I am sure that you will enjoy meeting him. He is a very nice man to meet and I am sure that you will enjoy meeting him. He is a very nice man to meet and I am sure that you will enjoy meeting him.

in 1884 I told him being a stone quarry it was not open for homestead and as a squatter no matter at what date could not prefer any claim through such squatting - His reply was that he wished the prior right to acquire it on whatever terms the Government would accord - I would particularly direct your attention to all the correspondence over this case in which you will notice every possible step has been taken to protect Rathie's interest and a further point raised whether stone quarries go to the C.P. Ry when the material therein is not required for the construction of that railway even though such quarry be mamoded section.

The following is a copy of an advertisement which appears in the Calgary Herald of the 22 May 1886

"Freestone Quarry

Contractors can be supplied with a quality of freestone equal to Ohio from the Quarry of the undersigned at minimum rates.

This stone has been pronounced by experts to equal anything in North America

Apply to

Joseph Rathie

Calgary"

The

1092

The following case were before the Land Board and two of them are probably the ones intended in the Tribune's article, but misprinted.

Joseph Moss E½ 5: 22. 29 w4
James Sproull NE¼ 35. 23. 1 w5
James Howe W½ 3. 24. 2 w5

Joseph Moss settled on the NE¼ 5. 22. 29 w4 in February 1882 and appears to have proved a first class settler. He could not have readily ascertained whether he was on an odd or even section at date of settlement. The fifth P.M. was established in 1880, the theoretical boundary between section differed from the result as proved by survey. The westerly limit of his claim is less than ¾ of a mile from said meridian and had he laid off the theoretical distance from said meridian he would have known his claim was on an odd section.

James Sproull claims the NE¼ 35. 23. 1 w5 as a preemption claim home-stead entry to NW¼ 36 adjoining. When he appeared before me in August last I explained to him his position that from the fact of at date of settlement the southerly boundary of 36 was established and only few weeks after he settled the northerly boundary of both 35 and 36 were surveyed he could not claim that it was in the slightest difficult to ascertain whether he was on an odd or

even

The following cases came before the
Land Board and two of them are
probably the ones intended in the
[illegible] [illegible] just [illegible].
Joseph Moses E½ S. 22. 29 W5
James Spruell N.E.¼ 35. 23. 1 W5
James Howse N½ 3. 24. 2 W5
Joseph Moses entered for the E½ S. 22.
29 W5 in February 1882 and appears to
have proved a first class settler - he
would not have readily ascertained whether
he was in or out of the reserve at
date of settlement. The fifth Mer. was
established in 1880, the theoretical
position nearly differs from the result
as recently surveyed - the westerly limit
of his claim is less than 3/4 of a mile
from said meridian and had he
[illegible] the theoretical position
[illegible] meridian he would have
known his claim was not [illegible].
James Spruell claims the N.E.¼ 35.
23. 1 W5 as a preemption claim home-
-stead entry to N.W.¼ 36 adjoining - When
he appeared before me in August last
he explained to him his position that from
the fact of at date of settlement the
westerly boundary of 36 was established
and [illegible] after he settled the
westerly boundary of both 35 and 36 were
changed he could not claim that it
was in the slightest difficult to
ascertain whether he was [illegible] other
[illegible]

1092

Olivia

192

1092

own section - See my letter of 6th August 1885 enclosing Sartells application - Of course he can homestead the portion of 36 on which his buildings are, his improvements & 30 consist of 72 acres of breaking - He possibly can purchase from the C.P.R. the portion of 36 desired as cheaply as he would have to pay for his preemption viz - $2.50 per acre.

James Moore a half breed claimed right to homestead and preempt the W½ 2.24.2 W5. I took his application in October 1885 and recommended he be granted entry as requested - The Land Board approved - Instructions were sent Agent to grant entry when Mr. McDavish protested on the ground that though Moore had resided on the land in question since 1878 the law granted him only to the extent of one quarter section - Such being the case the Land Board were powerless - He was granted homestead entry to the S.W¼ - He has since been accorded a preemption entry at $1.00 per acre to the Easterly 30 chains of S.E¼ 4 adjoining a letter on the N.E¼ 4 being granted preemption entry to the westerly 10 chains - I visited the land in question about ten days ago in company with both parties and this arrangement was one to agreeable to both -

The foregoing includes I think all

claims

claims to odd sections which have come before the Land Board. The Board took the ground that any lands vested in the Crown on the 15th day of February 1887 falling within 24 miles of the main line of the C.P.R. became the property of that corporation. It was purely a legal matter and it has been repeatedly explained to them that if it were a case between the Crown and the individual the equitable view would be entertained, but it being a dispute between the Railway and the individual it must be decided legally, though on a strict enquiry into such cases cited it will I think be admitted that there are no grounds equitably why they should be accorded homestead entry. If the Government were to decide that these parties must be protected even if the lands should be acquired by purchase from the C.P.R. would not the hundreds of parties who between here and Brandon with as strong in many cases stronger claims have purchased from the C.P.R. be entitled to the same treatment. Experience has shown that squatting in advance of survey when it was anticipated there would be a point of importance not one claim has been registered to a section which by law fell to the C.P.R. though at the time of squatting none of the

1092

196

1035

Lieber Herr

of the squatters had better facilities for
leaving where they were than those
embraced in this report, as for ex-
-ample Indian Head Swift Current, Regina,
Moose Jaw, Swift Current, Maple Creek,
Medicine Hat and neighbourhood
of Calgary - At Swift Current, Maple
Creek and Medicine Hat the parties
were many miles from any surveyed
line, in some cases upwards of 60
miles - yet they located themselves
on lands to which the C.P.R. had no
title.

All the squatters enumerated
settled on bottoms, they did so because
the location pleased them and the
same thing is going on today on surveyed
lands in this neighbourhood and all
through the ranching district, settling
regardless of odd or even Hudson Bay
or school lands - They take them up
and leave to the future to decide on
what terms they can be acquired -
It requires but a cursory examination
of the country to shew why this is being
done - The advantages of the bottoms
for shelter and water for stock, very
often fuel, the use of the streams to
bring down building material and fuel
when none is on the claim itself are
sufficient to warrant them being
readily taken up, even though a

high price

1092

which price would require to be paid
for same,
All of which is respectfully submitted
I have the honour to be
Sir
Your obedient Servant

W. Pearce
Supt

1092

Mit Preis wurde zugesprochen
der Arbeit
Nr. 92 Motto: Heute hier morgen dort
Verfasser: Architekt Hermann Leu

195

1093

1067

Calgary 12th June 1878

Sir

I have the honor to enclose herewith copy or draft of my reply to the Minister of the Interior on article in the Calgary Tribune of the 29th ult. as requested by his telegram annexed

It is a pretty full report but you can readily form a precis made

I send by this mail also the files of your office referring to claims of Joseph Boutin to W½ 33-23-1W 5th and that of Wm Scallen to E½ 9-24-1W 5th The remainder of the papers being copies from those in your office may I suppose be retained here.

As to the file concerning claim of Nelson Bebo. to N½ 5-23-1W 5th it is not here, nor did I bring it up with me.

I have the honor to be

Sir

Your obedient servant

Jno Lucas

Supt.

W. H. Smith Esq

Com. Dom. Lands

Winnipeg

1093

1093

1094

1068

Immediate

Calgary 14th June 1884

Sir

In the early part of last week I visited the Pincher Creek settlement above Ft. Macleod to ascertain as far as possible the number of squatters in that locality and where same are located. The result was briefly embodied in the following telegram sent you on Tuesday last from Macleod.

"About Seventy squatters in following locations. Township six Range thirty and twenty nine. South half of Seven twenty-nine. Along Pincher Creek in five and six one west of fifth. Along South and middle fork Range one and two, and along North fork Range one."

On Pincher creek.

1st At mouth of same creek and said to be within the Indian Reserve, but not claimed as portion of said Reserve one Lee settled some 15 years ago. but about 2 years since sold his claim to Le. Grandeur Sec 20 62 also 20 65

2nd Just above and lying between the Old Man's River and Pincher Creek is claimed by one Holloway. The improvements consist of a cabin and small corral erected in the Autumn of 1883 by one Saul. who was wintering here a band of horses brought by him from British Columbia, Saul was drowned at Ft. Macleod in the Spring of 1884. the place remained vacant till about one year ago when present claimant took possession having sold a claim of his elsewhere. Sec 20

3rd Wilson Bros claimed two years, for last month

J. M. Burgess Esq
Dep. Min of Interior
Ottawa

200

1088

1094

Vervielfältigt

Solingen 14. Juni 1888

An

die Firma Carl Wilhelm Clauberg

in Solingen

Wir beehren uns, Ihnen hierdurch anzuzeigen, daß wir unsere Vertretung für Solingen und Umgegend Herrn Carl Wilhelm Clauberg übertragen haben.

Wir bitten, Ihr Wohlwollen auch unserem neuen Vertreter zuwenden zu wollen.

Hochachtungsvoll

Gebrüder Wilhelm

1094

months previous they lived on Indian Reserve.

4th Corley Bros made improvements about two years ago, commenced residence Spring of 1886. for year previously lived about one mile lower down.

5th One Humphry took up residence in Autumn of 1885. for 2 years preceding lived on bottom about Sec 13-6-30 W 4th now claimed by one James Smith see No 20

6th Normandeau & Lacourt bought out right of one Allan in Autumn of 1885, Allan had resided on it about one year.

7th J. H. G. Bray who has resided on claim about five years.

8th On opposite side of Creek is claim of one Alf. Wilson, no residence, merely making improvements Wilson has been working for Col. Macleod.

This brings up to about line between Ranges 29 & 30

9th On about Sec 25-6-30 W 4th is claim of Col. Macleod who has resided thereon about 5 years and has valuable improvements

10th Next to Macleod is claim of one Scobie who has resided on it since 1883. valuable improvements This claim comprises N W/4 24 & S W/4 25-6-30 W of 4th

11th On South Side of Creek about Sec 36 are the buildings of the Stewart Ranche Co good house Stables Sheds & corrals, & probably 600 or fenced in.

12th Next above Scobie's on the S E/4 26 is claim of the late Capt Shuttliffe of the Mounted Police, who bought out claim of a squatter who took it up 5 years ago, name of squatter "Bed rock Jim". Shuttliffe thought in the Police force claimed it, took possession about 5 years ago and abandoned it about 2 years

years since. It remained vacant till last Spring when his partner named Jones & Faulkner took possession which they still retain. Their improvements so far are chiefly if not wholly on S E ¼ Sec 26. but Shurtliff's cultivation extends some distance on Sec 23. now however all grown up with weeds.

13th A. W. Fish, house in course of erection on N W ¼ 23. some time ago it no cultivation is head cow boy for Stewart Ranche Co.

14th On same ¼ section & on the South Side of Creek opposite Fish's house is a corral owned by the Stewart Ranche Co.

15th On or near the N W angle of the S. E of Sec 23-6-30 W of 4th are Mounted Police barracks & stables. now occupied by 3 men, an outpost of Ft. Macleod. At one time the police had upwards of 200 ac under cultivation, which was on the following ¼ Secs. S W ¼, S E ¼ & N E ¼ of Sec 23, S W ¼ 24 & N W ¼ 24. This was at one time fenced, now fence all removed, the land nearly all gone & cultivation grown up with weeds.

16th South of the Police Barracks on S E ¼ 23 is house and small cultivation claimed by one John Nerson who is in the employ of the Stewart Ranche Co. has resided on claim since Autumn of 1885.

17th Immediately South of Nerson's probably on the N E ¼ 14 is a house in course of erection by one James Miller. no residence as yet.

18th & 19th On about S W ¼ 24, is claim of Francis Lavassier, settled here in 1883 & resided on it till 1888. when he entered into partnership with one Pelletier, the latter have bought out the claim

J

1094

1091

[illegible]

1094

of one Harris McHugh. McHugh's improvements consists of a cabin, no other cabin was ever finished or resided in, erected in 1883. Lavessier & Pelletier have however made considerable improvements on this claim.

20th To the south East ¼ of Sec 19 is claim of one H.J. Smith, who has resided on it since 1883. has large improvements.

21st To the South East is Claim of Burns Stanton and Gray, in partnership in stock and have resided since 1881.

22nd To the South East and along the creek known as the Indian Farm Creek is claim of one Wm Sleed, who kept stock here for about 3 years and sold his stock to one Godsell and left the Country.

23rd The buildings of Sleed were acquired by certain parties for the material therein and for their removal on James Christie secured a portion, which are still standing and it is said Christie purposes buying enough such buildings to hold the Sleed claim.

25th Returning to Pincher Creek on the SW¼ 23-6-30 and on part of Sec as Police barracks is there & buildings claimed or owned by Messrs Schofield & Hyde general Storekeepers. Schofields claims this ¼ Sec. and has lived on it from Spring of 1883 till present time.

26th The SE¼ 22 is claim of one C. Keller & on this ¼ Sec the greater portion of the village of Pincher Creek is located. Who are probably two families

27th The NE¼ 22 is claim of one Archer Saunders who has resided since 1881. good improvements

1094

28th Next above Gordon on the South side of the Creek is claim of Peter Provost who has resided on same since 1880.

29th On South side of Creek opposite Provost is claim of C. G. Geddes, who holds lease of this Township and who has resided on his claim since 1880.

30th About a mile further up and on the South side of Creek is claim of one Francis Willcock who commenced residence in 1883 bought out claim of one Holloway (on 2nd 2) who had lived on it about 2 years.

This will bring about to the 5th P. M.

31st Just above the 5th P. M. on Pincher Creek is the claim of A. A. McCullough who went there in 1882. claim was taken up in 1880 by one Jamieson.

32nd On about Sec 13 - 6 - 1 W 5th is claim of Lynch Staunton who has resided on it since 1883

33rd About 1 mile further up is claim of Geo. Jones. (formerly Jones & Thompson) who has resided on it since 1880

34th About opposite Jones is claim of Bell Bros who have resided on it since 1880, are bachelors.

35th About 1½ miles further up is claim of John Lee who has lived on it since 1884

36th About 1 mile south up the Creek is claim of Chas Smith resided on since 1880.

37th On opposite side of Creek about one miles further up is claim of Jack Collins.

38th Another mile South is claim of Sam Lessor who took up same in Spring of 1886

39th 1½ miles above Lessor is claim of E. M. Wilmott lived on it since Autumn of 1883. bought out the claim of one Burton who resided on it since 1880

Wilmott

1054

1094

Millmont is one of the ranches in what is known as the Alberta Ranche Co.

40th About 1½ miles above Millmont is the Alberta Ranche Headquarters and which is about 12 miles above Pincher Creek Village

41st South of the Alberta Ranche 2 miles is a hay claim originally claimed by Prevost & Lebrun who took possession by fencing it in in 1884. In Spring of 1885 they sold it to Labelle & Brunelle. They are said to have taken possession of a valuable hay claim, have no stock, but make hay on leases as a speculation, making a monopoly of same to some extent.

42nd West of Jack Collin's claim No 37 about one mile is the claim of One Beauvais who has lived there since 1882, engaged raising horses, before last claimed by One McGillis, now living on Sec 13-24-IW 5th McGillis located on it from 1880 to 82.

43rd West of Beauvais about is claim of one Brown, called the "Chinook" which is said to be about Sec 32-5-1 W 5th

44th 45th & 46th Directly South of Bell Brot No 34 is a settlement of Germans, about half a dozen claimants comprised in two families who came here in 1884 from Poplar Point Man. are said to have taken possession of some very valuable hay lands.

This concludes all on Pincher Creek or vicinity. On the Old Man's River between outlet of Pincher Creek and mouth of South Fork there are no Settlers.

On South Fork Old Man's River.

47th About 3 miles above its mouth is claim of F. H. Foxhall and is on his leases. He bought out the claim of one Carr who had squatted on it about one year

4 S Wt

1094

48th About ¼ mile above Jordsall is claim of L. McGowan who has resided here since 1883

49th Opposite to Lo 48 claim of Andrew Hess who has resided since 1883.

50th Here one for about 6 miles to where the line between Rys 182 crosses Hess creek where claim of Peter McElwain who has resided since 1884 hangs at the mouth of Mill Creek.

51st Opposite 50 is claim of W. R. Lees, no home or residence, about 20 ac under cultivation

52nd Above McHugh is claim of Lord Boyle erected a house about 2 years ago has lived in it some.

53rd Mouth of Lo 52 about one mile is claim formerly owned by F. W. Jordsall, large improvements-building &c now owned by Messrs Brooks & Palfrey who have Lease Lo 38. They paid Jordsall $2000.00 for his improvements.

54th About 1 mile West is claim of Garnet Boyd (3) 1st Class claim and on this lease. He commenced residence in 1881.

55th About ¼ mile above Garnett's is claim of John Johnston, who has lived here since 1880 and is said to have 75 ac under cultivation

56th About ¼ mile above 55 is claim of one Dolder has been living on his claim since 1883. Formerly in partnership with Johnston (Lo 55) now dissolved.

57th About ¼ mile above 56 is claim of Klein and Jarvis, the former has been three years Sergeant of Police. This claim is said to be jointly in Lo 32 & 38-6-24 W 5th just at mouth of Mouth Hootenay or Elk forks. claim to have $3000.00 worth of improvements.

58th On Mill Creek is claim of one W. S. Gladstone

1904

1094

who lives near the mill on Bear Creek and has done so since 1850.

## French Flats.

Said to contain about 8000 acres, lies between South & Middle Forks from 3 to 5 miles above mouth of South Fork on which are the following settlers.

59th Jesse Fraser (formerly of the firm of Robinson & Fraser) who in continuation of 1855 bought out the claim of one Jerry Ringer, who resided on it since 1853.

60th Joseph Bouizer has been in course of erection about 2 years ago planted 2 ac when he was stopped by [illegible].

61st Pierre Beauvais has not yet lived on his claim. In 1855 bought out claim of one LeJeune who lived there 2 years. had 18 ac fencing 20 ac fenced, buildings, fencing & crops worth $600.00 Beauvais is said to have paid $600.00 for this claim.

62nd F. Moses Jeffrey has not lived on it, bought claim from Beauvais who never lived on it, who bought from LeFrancois who lived on it from 1853 to 1855. Jeffrey paid $600.00 has some stable and 20 ac fenced cultivated

## Middle Fork.

63rd About 1 mile above mouth of South Fork is claim taken up by one Bailey, one W. J. Cochrane purchased Bailey's claim in spring of 1856. This is on Robinson's land who objects to Cochrane's right here, as he bought out Bailey to get rid of him on his claim. Cochrane formerly had a claim on the [illegible] Prairie, which he was paid $300.00 for by the [illegible] to get rid of him.

who lives near the mill on Davis creek and has done so since 1880.

## French Flat.

Said to contain several thousand acres. lies between South & Middle Forks some 3 or 4 miles above mouth of South Fork on which are the following settlers.

59th Jonas Jones (formerly of the firm of Hedrick & Jones) who in autumn of 1885 bought out the claim of one Jerry Hinzen, who resided on it since 1883.

60th Joseph Hinzen, has house in course of erection about 2 years ago plowed 2 ac when he was stopped by Leuschebter.

61st Remi Beauvais has not yet lived on his claim. In 1885 bought out claim of one Le Lem who lived there 2 years. had 18 ac bunding 20 ac fenced, buildings, fencing & corrals worth $600.00 Beauvais is said to have paid $600.00 for this claim.

62nd F. Owens Alfrey has not lived on it. bought claim from Beauvais who never lived on it, who bought from Le Francois who lived on it from 1883 to 1885. Alfrey paid $600.00 has house stable and 20 ac fenced cultivated

## Middle Fork.

63rd about 1 mile above mouth of South Fork a claim taken up by one Bailey, one D. J. Cochrane jumped Bailey's claim in Spring of 1886. This is on Hedrick's lease who objects to Cochrane's right here, as he bought out Bailey to get rid of him on his lease. Cochrane formerly had a claim on the Blood Ranch, which he was paid $300.00 for by them for to get rid of him.

1094

64th About ½ mile above No 63 is claim of J Parke who took it up in 1886. is on lease of Indianola and is said to be there by Indianola's permission.

65th Several miles up is claim of W. S. Lee at the mouth of Crow's Nest Pass, has a lease there formerly at mouth of Pincher Creek on the Pincher Reserve. (See No 1)

## North Fork.

66th About 6 miles above its mouth is claim of John Nelson, resided since 1881, reported to be a good settler.

67th Just above is Ranches of Indianola & Lethbridge leaseholders.

68th About ½ mile above 67. claim of Anson Eli, lived on it since 1883, reported a good settler.

69th About ½ mile above 68 claim of Harris & Heath, who in Spring of 1886 bought out claim of Elwell & Craven who had claim 3 years with valuable improvements said to have paid $1000.00 for same.

70th About 3 miles above, on Waldron Lease is claim of Wm Olin, said to be a good settler lived on this 3 years, formerly had claim on the Belly River above the Waterton which he sold to the Cochrane Ranche Co. See No 54

71st About 3 miles above No 70 and on Waldron Lease is claim of one Jones, formerly held by Heath & Jones who have been here since 1883. This claim is said to be about 12 miles above the mouth of the North Fork.

No other settlers or improvements except the Waldron Ranch Co.

Belly River

208

1094

64th About ½ mile above No 63 is claim of J Burke who took it up in 1886. is on lease of Latimer and is said to be there by Bremner's permission.

65th Almost a mile up is claim of W. S. Lee at the mouth of Crow's Nest Fork, has a house there formerly at mouth of Pincher Creek on the Pigeon Reserve. (See No 1)

## North Fork.

66th About 6 miles above its mouth is claim of John Jackson, resident since 1881. reported to be a good settler.

67th Just above is Ranche of Bremner & Williams Corporation.

68th About ½ mile above 67. claim of Ceasar Ely, lived on it since 1883, reported a good settler.

69th About ½ mile above 68 claim of Lawrie & Hall; who in Spring of 1886 bought out claim of [illegible] & Brown who had claim 3 years with valuable improvements — said to have paid $1000.00 for same.

70th About 3 miles above, on Waldron lease is claim of Wm Hinn, said to be a good settler lived on the 3 years, formerly had claim on the Belly River above the Blackfoot which he sold to the ~~Cochrane~~ Goodhue Ranche Co. See No 54

71st About 3 miles above No 70 and on Waldron lease is claim of one Jones, formerly held by Heath & Jones who have been there since 1883. This claim is said to be about 12 miles above the mouth of the North Fork.

No other settlers or improvements except the Waldron Ranche Co.

Belly River

72nd & 73rd On this the Belly River above Slide Butte about Sec 35-7-25 W 4th is claim of J & A Dixon who have lived there about 2 years

74th & 75th On island in Belly River opposite Dixon claims are two claimed by the Rev Mr Tunnett (Ch of Eng) and Rev Mr McLean (Presbyterian) who have resided there 3 years and have good buildings.

76th At junction of Waterton & Belly & between the Rivers is claim at one time occupied for 9 months by Mr engaged by C.E. Wolffe D.L.S. improvements are said to be worth $400.00 Wolffe it is said no longer pursues any claim to this.

77th About one mile further up is the Mounted Police Post, or Major Crozier's claim The buildings were burned down lately but new ones have been erected to the value of about $500.00

78th One ½ mile above No 77 is claim of J. D. Murray, has been living on it 2 years, improvements said to be worth $800.00 Had claim just above which he sold to Oxley Ranche for $1000.00 on which he had resided 4 years. So soon as he sold he squatted just below, thought the Oxley Ranche Co bought him out to get rid of him.

79th Original claim of Murray's Fred Rees had house and 2 ac broken land rented from Oxley Ranche Co for which he paid rent at the rate of $5.00 per month from 3rd May 1884. On 12th June 1886 he left it and took up a bottom which he says contains about 160 ac & is part of Sec 21-6-25 W 4th being where the Stand Off trail crosses the Belly River and where the old Fred Waterton's (Waterton's Fred) claim was which was purchased by

the Dry Cay Ranche Co which would be No 80
81st. The mile above 80 is claim of Philip Ball
who bought out the claim of Chas Craig two
months ago. Has settled thereon 3 years ago, assigned
to Fred Walcuton obtaining his lease. on said
lease with knowing permission of leaseholder.
82nd 83rd 3 miles above No 81 is claim
of David Lambert and Robt Wilson taken up
this Spring, is a low bottom, the best on Belly
River it is said. Grave grumbling is indulged
in by leaseholders and others interested.
84th About 4 miles further up is claim
of one John Smith, is on what was formerly known
as the Muirhead lease, has been on it 2½ years
a good settler, The said lease had it 4 years
ago. at which date it was purchased from one
Wm Olin. See No 70.
85th On the Walcuton 12 miles from its mouth
is claim held by Kolean & Metzler, been in
possession one year and are probably on the
Halifax Ranche Co lease.
Last Page Shannant No 79 says he
shortly will have $3000 worth of improvements
owns 2 pieces one on the Walcuton, the other on
the Belly. Keeps stock & Stopping interested to some
extent in stock, has cut down hill to improve
access to River; a single man, an ex policeman
left the force in 1875 after being in the force
about 6 months.
The foregoing probably include 85 p/c
of all the squatters in the Macleod District,
who are on unsurveyed lands. There are a
few more on the head waters of Beaver Creek
and some of the branches of Willow Creek

Excepting Tps 6 R 29 & 30 & S½ Tp 7. it would not I think be advisable to subdivide the townships in lots. In fact some of them will prove very expensive, will right impossible to so subdivide the settlements are along the streams and as traverse could be carried up the same, except those particular ½ sec on which there are any improvements. At the same time I would suggest the streams be traversed, such streams should be made the Boundaries of claims It is not in the public interest that at any point in the grazing districts land should be granted to any individual owning both sides of a stream, nor should one more obtain more than ½ mile of such frontage unless largely in stock and requires the same The streams for stock are invaluable both for water & shelter and great care should be exercised in giving as far as possible the largest number access to same.

Among those examined probably 70% were there before leases were granted & then since on by the permission of the leaseholder.

There is a good deal of complaint about some half dozen in all, who have little if any stock, have taken possession of key bottoms fenced them in, and ask key for sale as a speculation largely monopolizing same to the great disadvantage of the bona fide settler or leaseholder who is engaged exclusively in stock.

When Mr D.L.O. Armstrong ran the boundary of Tps 5 R. 30 West, Pincher Creek Settlement he was requested by the settlers to define certain sections so that practically the W½ of them

Township is now subdivided on the ground, at least the settlers know where their boundaries will be.

It will be noticed that the settlers knows they know they are settling on odd sec^d^ [illegible] very little attention thereto. Persons occupying high Official positions in that District stated to me that outside of the Ry Belt the Gov^t^ would grant H entry on odd sec^d^ and on my assertion in the negative, they as strongly as possible asserted I was mistaken

This report has of necessity been prepared very hurredly and no doubt is [illegible] from being as full and precise as is to be desired.

All of which is respectfully submitted

I have the honor to be
Sir
Your obedient Servant

J. B. Pearce
Dept

1095.
Immediate

1069

Calgary 14th June 1886

My dear Douglas

Mr Jamieson, Edmonton Agent states he has written H.O. asking that copies of all papers in reference to certain claims in that District be forwarded him for my use, at Edmonton, which I hope to visit shortly. Kindly see that they are rushed through as quickly as possible. I hope to start for Edmonton early in July. Now that the Session is over I suppose your lady copyists are not so busy.

Am very busy, on the move a good deal of the time.

Love to all the boys.

Very truly yours

Wm Pearce

E. B. Douglas Esq
Dept of Interior
Ottawa.

213

1095.

Bellevue le 5 Juin 1881

Mon cher Baptiste

Je pense, Madame, que votre absence de chez M.O. certain Mal expire ce jour et j'espère que vous reviendrez bientôt à Bellevue. Mais je crains que vous ne soyez encore malade, car je ne vois pas de nouvelles. Mais si vous êtes malade, je vous prie de me le dire. Je vous enverrai un médecin. Mais si vous êtes bien portante, je vous prie de me le dire.

Votre très humble serviteur

Jean Baptiste

P.S. Je vous prie de me dire si vous êtes bien portante.

1096

1070

Journal

Calgary 14th June 1886.

Sir

I have the honor to request that you will kindly instruct the Homestead Inspecting Clerk of this district to furnish the Calgary Agent a duplicate of all his Homestead Inspections reports

If he has not kept duplicates of those already sent in, please have copies forwarded me.

He has plenty of time to do as requested and when I am here I should like to have them to refer to.

If you see no objections would you instruct him to place his services at my disposal when I require same and advise me of same. Have marked this Journal so that your attention may be directed & have the honor to be

Sir

your obedient servant

Wm Pearce
Supt

D. H. Smith Esq.
Com[r] Dom Lands
Winnipeg

214

1070

1096

Bellevue, June 1886.

1097

1071

Calgary 14th June 1886

Sir

I return by the Bearer the following files of your Office

5-8648. S. W Trott S½ 20-24-1 W 5th
46596 Dr A. Henderson NW 20-23-1 W 5th
58891 Jas A. Martin SW 20-24-1 W 5th

It was through a misunderstanding that these files were forwarded on account of telegram from H.O.

I have no report to make on any further than has been done. I am strongly of opinion that no exceptions should be made in the Homestead provisions of the Dom Lands Act. unless when subsequent to entry, conditions have arisen unforseen by homesteader at date of entry. it may then be advisable to change the conditions somewhat to enable the homesteader to obtain the benefit of his improvements and outlay.

In Trotts case however he states that believing that the sale as made him by H.O. letter of July last would be carried out he has made certain improvements and incurred obligations which would prove very onerous if such sale should not now be carried into effect. I shall see Mr Trott today and request him to furnish evidence of these statements and it may be that there is no other course available than to carry out the original sale

W. H. Smith Esq.
Com[r] Dom Lands
Winnipeg
Man

1092

215

1092

Dem Herrn Ed.
Mr.
Herr Professor Dr.

1097

I would however wish to direct your attention to my Memo on Martin's application with the marginal comments of the Minister thereon.

Excepting the case of Trott's my opinion is that the others should be required to comply with the Homestead conditions of the Dom. Lands Act.

I have the honor to be
Sir
Your obedient Servant

J. W. Stance
Insp.

1098

Copy

1072

Macleod June 9th 1886

Wm Pearce Esq
Calgary
Dear Sir

Your letter of 1st inst was mailed too late for Wednesday's train but being in Calgary on Friday I got it from the Post Office there and have carefully considered its contents

Briefly put the case as stated by you stands thus:- In Feb: 86. M J McDougall presented a petition on behalf of the residents of Morley that land may much in excess of the quantity allowed by Homestead Laws should be granted to them at $2.00 per acre, the Minister of the Interior promised his favorable consideration and has instructed a survey of said land being made: that you do not desire the Minister to limit Ranch Settlers to the 320 acres now provided for in any Lease, but will have no objection to such as what he has asked for: & that these assurances had been given to Mr McDougall by the Interior and Indian Depts with reference to the Asphaltum claims, that that claim must be withdrawn from the Lease, in order to enable Mr Lowe to obtain his

transfer to Him the whole Lease of 12.800 acres or to 8800 acres of it including the land upon which my Buildings & Corral has been erected; being sold or granted to the right Hon. Lord. but one of whom could establish a legal right to it. That the privileges guaranteed to me by my Lease must be secured to me notwithstanding such claims which I am to have no claim whatever to nothing more definite than a promise of the favorable consideration of the Minister of the Interior

Yr

217

1038

1098

Of Course it is clear enough to me that you Consider the transfer from me to Mr. Mc Dougall of his grounds of the whole lease the most politic if not the only way of settling the dispute and fully realizing the disadvantages it would be to me, for a time at all events, to live among people whose interests are antagonistic to mine. I am quite willing to consider carefully and be guided to any reasonable & just proposition aiming at such settlement. and am prepared to make greater sacrifices in this direction than I would be if I could take legal proceedings against any one encroaching upon the rights conferred by the Lease without giving wide spread publicity to charges of favoritism against the Government. but the offer of the Rev Mr. Mc Dougall to reimburse the back rent I paid to secure the Lease and let me off without the illwill of the Indians if I will transfer the lease to him and hurry off is at once so manly & magnanimous.

I applied for a lease of this land on the 20th Nov. 84. Subsequently went to Ottawa for the special purpose of securing it and under an order in Council dated Feb 3d/85 it was transferred to me. Neither then nor at any subsequent time until the month of August '85 when I was returning from Montana with my stock and when my buildings were well advanced had I any intimation or suspicion that such claims were under Consideration or even existed - I maintain I was perfectly justified in putting where they are. the buildings necessary for the harboring and handling of my stock. and as to the Rev Mr. Mc Dougalls protest against their

Completion

1098

Compliance. which you ask me specially to bear in mind. No one knows better than yourself that in Sept/88 when we met at Calgary to discuss the matter. he could not produce a particle of proof or evidence that he had a right to make such a protest

When you were here on 31st ult°. I said that as I did not consider the Territory offered an equivalent to that which I am asked to relinquish I had about concluded that after the Instruction had taken from the Cabinet what and he felt compelled to take I would hold on to the balance and ask for land South of the Boundary line of that Farm. You expressed the fear that were this action would make it uncomfortable for me and I replied that I could not help that. and would have to take chances upon having my legal rights maintained & respected- From your letter it would appear that you misconstrued this. and understood me to say with reference to the whole matter I would stand upon my legal rights under the lease - I had no such intention or thought. as stated in former letters I have from the first expected and should never have demurred at reasonable concessions being made to old Settlers like the Messrs McDougall.

As to the Settlers Petitions to be allowed to purchase at $1.00 per acre areas varying from 700 to 2200 acres each - One half of those who signed that Petitions did so simply for the purpose of driving me to the abandonment of my lease. I am satisfied they are not in a position to make any such purchase - Even if they were. and their threat to do so. had the desired effect of frightening me into

Jenny

1098

1098

250

1098

giving the Plan up to them, it is not very likely that they would make good their assurance to the Government by paying $1.00 per acre for grazing land to the full use of which without any such purchase they would have become entitled as Joint Proprietors of the Lease. In regard to land claimed by McDonald I understood you to say his having agreed to sell it to Graham nullified his claim and left him entirely dependent upon executive clemency for the holding even of his 160 acres when fencing in the large tract which is claimed as his. He did it with the openly avowed intention of selling it as soon as he could get a Purchaser - I fail to see in what way such a Homesteader is entitled to the very exceptional consideration (exceptional in this part of the Country anyway) claimed by the other Settlers on Bow R. front.

As to the relative value of the grazing land on the opposite side of Bow River - The opinions of parties who have as much at stake as the Messrs McDougall can hardly be advanced as proof positive or even satisfactory - They may be correct in saying that twelve years experience has proved to them that South of the Bow is just as good for winter pasturage as the North, in a general sense this may be the case, but will they assert that as between the Morleyville Hills and any equal area on the North side it is so? I have not twelve years experience to base an opinion upon but was in this vicinity through the Winter of '82/83 and know that from the middle of November (when as Manager of the Cochrane Ranche I contemplated putting a band of

1098 horses to winter in the Territory immediately adjoining that which you offer me) till the end of February or later. the whole territory South east of Radnor to the Timber and Foot Hills was an unbroken sheet of glare ice or crusted snow. in many places thick enough to sustain the weight of a horse and that during nearly the whole of that time the Morleyville hills were bare of snow and afforded good feed for stock of all kinds. The winter I speak of was exceptionally severe but it is the confidence of safety and certainty of being able to carry stock through just such exceptionally severe weather that makes this range what I claim it to be, far superior to anything South of the Bow, or North of it either for that matter. Then the range South of the Bow River has been repeatedly burnt by fire and the course followed by the C.P.R Considered in connection with the direction of our prevailing winds furnishes just grounds for the fear that an annual burn will only be averted by the expenditure of considerable time and labour in ploughing and burning fire breaks every season.

The Morley land has not been burned for years its boundaries are natural fire breaks that make it practically secure. this for more than compensates for the little extra trouble in getting from it to the Railway. in fact it possesses all the advantages of proximity to the Rway with perfect immunity from the one great disadvantage & danger of such proximity - fire.

The Messrs McDougall may say what they like I maintain that with a given number of Stock I would be safer where I am with 12000 acres

1098

1098

acres than I would be with double that one on the other side of the River. They are mistaken also in saying that there are good locations for corrals and buildings on the territory you offer us. I should find two locations one near each end of the range. and it would be exceedingly difficult to find even one. The water facilities consist of a few small lakes which of course purge up in winter. at the South end a stream which also purges dried in winter and in summer cuts its deep & serpentine course through swampy low land a place to be avoided & guard off rather than chosen as a site for stock quarters. at the north end there is a very short running stream which empties into the Bow about a mile east of Radnor. Its short length is already homesteaded. and any way would not be suitable. Among other things which Cattle or horse traders have no need to consider in selecting a site for their buildings the stockman has to keep in view the fact that his stock has to be driven out and in to his shade every day thro the winter and that while they may, when hungry. be made to feed out against a cold wind. it is exceedingly difficult and at times impossible to drive stock or make them travel right along against it. that is to say. if the wind is strong from the N.E. he must feed out to the N.E. and come back with the wind. if he feeds to the S.W. when night comes he will probably find that he cannot get them home again - You will readily see from this the desirability of having grazing lands near to winter quarters. and that to obtain this

1098

on South side of the River it would be necessary to locate a mile or two South of the River – My man who has spent his whole life among Bush, and I have put in a whole day on the territory you offer me and could find no good place for Winter quarters at this end of it. Places that are suitable as regards shelter and fuel have no water near them and we should have to depend upon a well and pump for our winter water supply. The east or Cochrane half of the Townships is much better territory in this respect.

I now submit to you the terms upon which I am willing to relinquish a part or the whole of my lease and would ask that in Considering the same it may be born in mind 1st That a change of territory will compel me to devote the whole Summer to the locating of Winter quarters outside Canada &c and to the Supervision of the erection of the same, time which I could spend to my much better advantage here

2nd That in changing I run the risk of finding that I have given up a location for winter quarters where it is well known, the Snow never lies to any troublesome extent for one out of which I may have to shovel myself and my Stock after every Severe Storm

3rd That I shall have to pay out every year a Considerable amount for work necessary to [illegible] and shall have to pay Annually just double the rent at that I pay here.

To begin with as stated to you when you were here, any arrangement necessitating the removal of my Buildings and Belongings and Funds for such removal for I expend to my [illegible]

1098

223

1098

If this cannot be done I see no alternative but for me to take the two years notice of withdrawal from the lease of the land upon which they stand - In saying this I am not to be understood you prompted in the least degree by a desire to take advantage of the power conferred by the lease to embarrass the Government or annoy the Rev Mr McDougall. I simply cannot help myself - I have invested in my business all the capital at my command. The buildings are absolutely indispensible to me. I cannot move them and as they are useless without free and unobstructed access to them I shall be compelled to prevent by legal proceedings the completion of the fence now being built around them

The first proposition I would submit is based upon the assumption that the Govt is in a position to give me a lease of an area equal to a Complete Township said area to cover all of Tp 26 R 5 - lying South of Bow River and the Northern Portion of Tp 25 R 5 ( the South end of this Township is little or no good ) I am willing to exchange at once the lease I now hold for a lease of the above described territory Provided

1st That the terms of the new lease are the same as the one I now have.

2d That I am to be reimbursed all rental paid or due by me for time during which my Cattle were not on this range.

3d That pro rata expense to me my buildings and belongings shall all be removed and the buildings Corrals &c be erected & Similar ones built with two entrances upon a site South of Bow River. Said site to be chosen

1098

by me would probably be within 1½ miles and easy of access from the Bow but not to be further than 2½ miles nor in any difficult of access .. than is. Say the lines created by the Brewster Bnd. on this side —

4th That to get my Stuff over the River the Govt obtain for me the permission of the C.P.R. Co to drive them across their bridge at Cochrane. To do this we would have to lay two boards over the ties, but the whole could be done under the supervision of their Section Foreman and would not occupy more than two hours. If this permission cannot be obtained we should have to drive to Calgary and cross by ferry a journey which would occupy ten or twelve days and involve the expense of carriage and of fitting up a camp outfit with portable corals &c

5. That I may be allowed to hold as a homestead on the territory taked to me an equivalent in acreage to that withdrawn from the homestead I took up near Calgary The isolation of the South side of the River and the fact that Calgary is the nearest settlement on that side will necessitate my frequent visits there and I should of a Cabin established on Sec 18. 24. 1. W5 and could I think fulfil the Homestead Conditions at both places if not to the letter, to a sufficient extent under the Circumstances to satisfy your department

The Second Proposition I would make is based upon the assumption that the Govt can only give me the Eastern Portion of Tps 25 & 26. 5 of Bow River — that the land claimed for Orphanage must be given up. and that all land South of Centre Line of Tp 25 R 6 be sold

1098

1098

to legitimate settlers whose homesteads front the Bow River frontage of the same. I am willing to accept the western portion of Sec 26 R 5 lying South of the Bow and the western part of Sec 20 R 5 say in all an area equal to half a Township in lieu of what the Dept will compelled to take from me on this side Provided.

1st That the terms of the lease are the same as those I now hold

2nd That the arrears of rent which will paid to Govt the lease be extended to me

3d That my buildings are shall be removed as stipulated for in the 3d Condition of my first proposition and the site for their re-erection in this case to be as near Radnor Station as a place can be found suitable for the purpose. It would I believe have to be on top of the high land immidiately at the back of Radnor. but if we cannot agree upon this. the question to be settled by two disinterested parties who had experience with Sheep in this Country or the U. S.

4th and 5th same as in my first Proposition

6th That in selling land to Actual settlers a definite time of payment shall be stated. until such payment is made the land shall not be fenced, but as regards grazing privileges shall be open to my sheep and any land not paid for by the time stipulated shall again become a part of my lease and that as between myself as lease holder and Mr. McDonald as a homesteader his claim shall be settled upon its legal merits

1098

If this proposition is accepted by the Government I shall erect an expensive Sheds & Corrals at the back of the Hills and use it as a Range for our band of Sheep.

In stipulating for the removal of my buildings and Belongings I wish it to be clearly understood I mean the transport of all belongings from the new quarters I am being forced to migrate to. That the same number of Sheds Corrals Stables. Cabin. And Castor Shall be erected there in just as substantial a manner as I have them now. That a Shoud well of same Size as the one I have here or deep enough to give me two feet of water in driest season Shall be found and made ready for use just as my own is. That if my first proposition is accepted as much hay as I now have on hand Shall be put up for me on the other side of the River or that I be paid what it would cost to put it up - and if my second proposition is accepted. Said hay Shall be allowed to remain where it is free of charge and fenced against Cattle till next winter. And that any damage my property may suffer by removal Shall be made good. in other words that as regards buildings Hay and all working conveniences I Should be placed in the other Side of the River just as I am on this - I Should expect that a Contract embodying in detail all that I consider necessary to insure this be given to responsible parties who Shall not be paid for the work until I Certify that it has been done Satisfactorily. If any difference of opinion as to what Should be considered Satisfactory Should arise between this Contractor and myself I would be quite willing to accept Mr David McDougall or Mr R.C. Coleman as an Arbiter

If I have to move to the other side I Shall

1098

1098

have to put up 100 tons of Hay there this summer-
this and the location of buildings and corrals
Ploughing and burning fire breaks &c would
necessitate the removal of my stock and working
outfit to the South side immediately after shearing
is over which will be about July 1st and I should
have to stipulate that my Cabin Stable and
Hay corrals be erected and ready for use not
later than Oct 1st The Cayuse Stable and other
stuff not later than Oct 20th By this arrange-
ment those contracting for the Park. would not
be prevented from attending to their own haying.
Immediately after shearing I must decide
where I will graze my stock during the summer
and as soon as the season permits I must
commence haying. I can do neither till I know
where the stock are to be wintered - a great
number of cattle & horses belonging to the
residents of Banff are now grazing on my
hay grounds. If I am to cut hay there this
summer I must begin at once to keep them off
In fact the planning of the whole of my summer
operations hinges upon the location of winter quar-
ters and unless this can be settled by the middle
of July I think the whole matter will have to be [illegible]
another year - The time [illegible] may cause any
short for the discussion and settlement of such a
matter as this. but if delayed longer it would
[illegible] me and might be absolutely [illegible]
my [illegible] unprovided.

Yours truly
[illegible] White

1098

haun to put up 100 tons of Hay there this Summer—
this and the locating of buildings and corrals
Ploughing and burning fire breaks &c &c would
necessitate the removal of my Sheep and working
outfit to the South Side immediately after Shearing
is over which will be about July 4th and I should
haun it stipulated that my Cabin Stable and
Hay Corrals be erected and ready for use not
later than Sept 8th The Cargn Sheds and other
Staff not later than Sept 28th By this arrangr
ment there undertaking the work would not
be prevented from attending to their own haying.

Immediately after Shearing I must decide
where I will graze my Sheep during the Summer
and as soon as the Season permits. I must
Commence haying. I can do neither till I know
where the Sheep are to be wintered. A great
number of Cattle & horses belonging to the
Residents of Morley are now grazing on my
hay grounds. if I am to cut hay there this
Summer I must begin at once to keep them off
In fact the planning of the whole of my Summers
operations hangs upon the location of winter quar
ters and unless this can be settled by the middle
of July I think the whole matter will haun to be open
another year— The time I mention may seem very
short for the discussion and settlement of such a
matter as this. but if delayed longer it would
hamper me and might materially increase
my haying expenses.

Yours truly
P. Jno White

1073

1099

Calgary 15th June 1886

Sir.

With reference to the establishment of the new Dom Lands Office at Lethbridge I have the honor to direct your attention to certain matters in connection with the same, which if you deem advisable you may direct the attention of the Agent, and also those at Ottawa.

1st It is highly desirable the said Office should be opened not later than 1st July next. Many persons desire to acquire lands through Military Bounty Scrip or warrants. the right of locating same will cease on the 1st Aug. next. If Office be not opened for some time before that date complaints will certainly arise.

2nd That district is largely if not wholly a grazing district, care therefore should be exercised in granting entry that too much water front is not monopolized by one party as spring valuable for watering stock is not taken, thereby causing detriment to the general stock interests. or that hay bottoms are not monopolized. As a rule I think no one should be granted entry to a ¼ Sec. part of which is on both banks of the following Streams.

South Saskatchewan, Belly, St. Mary's Old Man's, Bow, Little Bow, Willow Creek Pincher Creek, North, Middle and South Forks of Old Man's Rivers, Beaver Creek and

W. H. Smith Esq
Com'r Dom Lands
Winnipeg
Man

229

1073

1099

Calgary 15th June 1886

Sir,

With reference to the establishment of the new Dom Lands Office at Lethbridge, I have the honor to direct your attention to certain matters in connection with the same, which if you deem advisable you may direct the attention of the Agent, and also those at Ottawa.

1st It is highly desirable the said Office should be opened not later than 1st July next. Many persons desire to acquire lands through [illegible] Railway Comp; the right of locating or conversions will close on the 1st Aug. next. If office be not opened for some time before that date complaints will certainly arise.

2nd That district is largely if not wholly a grazing district, care therefore should be exercised in granting entry that too much water front is not monopolized by one party [illegible] having valuable for watering stock [illegible], thereby causing detriment to the general stock interests, or that hay lands are not monopolized. As a rule I think no one should be granted entry to a [illegible], part of which is on both banks of the following streams.

South Saskatchewan, Belly, St. Mary's, Old Man's, Bow, Little Bow, Willow Creek, Pincher Creek, South [illegible] and South Forks of Old Man's River, [illegible] Creek and [illegible]

H. H. Smith Esq
Com. Dom Lands
Winnipeg

1039

and Kootenay or Waterton River. Care also to be exercised in granting entry to lands adjacent lakes, many of them being the only lands which are natural hay meadows in that district. Further it is not as a rule advisable that anyone should have more than the water frontage of a quarter section one side of the stream at that. If he requires more land he can take it to the rear. The most of the district is outside the C. P. Ry belt therefore should such rear lands be sold Sec. when outside the belt in lieu of granting a Pre-emption, grant a sale at $2.50 per ac. say 1/4 cash balance in one, two & three years, with interest on the unpaid balance at 6% per annum payable annually.

3rd To protect as far as possible this water and shall right under instructions from me approved by you the following has been written in red ink plainly across all receipts issued during the past year in the Calgary to Lands fronting on streams. "Subject to whatever conditions may be imposed by the Gov in Council" providing for free access by stock to any water flowing over or adjacent the surface of the land covered by this receipt, or regarding the grazing of stock owned by the party in whose favour this receipt is issued outside of the lands covered by this receipt when it now or hereafter may be within a "least." It might be advisable to have this reservation embodied in the application signed by the applicant. Nearly every settler is or expects to be a stockman and the object

of

1099

of such reservation is to enable the country to be utilized for stock to the maximum limit, and when this is explained to intending settlers as a rule they cheerfully acquiesce in the reservation. It is expected that some time during the coming Autumn a thorough inspection will be made of the grazing districts and ample reservations made for stock watering and shelter.

4th The land grant to the North West Coal & Nav. Co. has been made in blocks. It is probably the intention of the Govt to grant in lands remaining within Belt H & P entirely on both odd and even sections. For the present however it would I think be advisable so to grant only on the odd sections or within the alternate quarters of them intersected by streams or fronting on lakes, and outside of this belt & that of the C.P. Ry to discourage settlement on odd Secs which settlement has been taking place and probably will take place wherever there are fine bottoms.

5th I would suggest that Agent Allison at once on the opening of his office to put himself in communication with Mr C. A. Magrath Land Comr of the N W Coal & Nav Co and before granting any entries, enter up both on his maps and Dp. registers all lands belonging to that Corporation and also to the C.P. Ry. Mr Magrath is a Surveyor, very well qualified to give the agent the desired assistance, and I think will willingly do so if requested.

The lands granted to that Corporation are of three classes. 1st Those granted to

1099

1099

Yours very respectfully,

[illegible]

per President Grant

1099

Runs in I Think May 1883 at $5.00 per ac.
2nd Those forming the land grant for construction
of this Ry. 3rd Some 10000 ac sold that
Corporation as Coal lands at $10.00 per ac.
6th Before granting any entries he
should be furnished with a map showing
all leases, distinguishing those open for
H & P. entry from those not, and he should
enter the same in his Tp. Registers. On
this head should he not have the information
now I would suggest he be at once sent to
the Calgary office, the information is in that
Office and he could make the necessary entries
in his Tp registers and take them with him
to Lethbridge.

All of which is respectfully submitted
I have the honor to be
Sir
your obedient Servant

W. Pearce
Supt.

1100

1094

Calgary 15th June 1886

Sir

I have the honor to enclose herewith file No. 57059 of your office having reference to the claim of James Bottrell to the S½ 9-23-1W5th.

The file was handed me yesterday and I made the endorsement in red ink across the face of yours of the 4th inst C16686. Today Bottrell called on me and I took his declaration which explains fully the grounds on which he bases his contention.

I explained to him fully that legally the Govt could not interfere with him; but would ask the C. P. Ry to waive their claim to it. I think he would be satisfied if he obtains one quarter section. He asks why he should be treated differently to Messrs Glenn and Livingston and was told that as the C.P.Ry made no objection in their case they were granted what they ask.

I might state that on the basis adopted on the South Desk. Bottrell would be entitled to purchase the ½ Sec. and also his P. at $1 per ac. and so far as the latter is concerned have instructed agent N.W.T. price of his P is to be at that rate. Bottrell appears to be a good settler and is reported to be a worthy citizen. I promised him you would bring this matter to the attention of the Govt at once without delay and he would be advised as soon as possible

If you think he should be charged $2 per ac for his P. please instruct Agent. The date fixed for increase from $1 to $2 was at P. Court 1st June, Battleford 1st Sept. Ly, Edmonton 1st Sept 1880. Settlement commenced improvements in March 79. residence Feb 1880

I have the honor to be
Sir
Your obedient Servant
J. Tom Cassels
Capt

D. H. Smith Esq.
Com. of Dom Lands
Winnipeg
Man

233

1094

0011

Solingen d. 3. Juli 1884

Lieber

Ihren Brief vom 5 vorigen Monats habe
ich richtig erhalten und Ihren Wunsch
gemäß sofort die Bestellung auf
3 Paar Stahlfedern No 1 mit Gold
für Ihre Rechnung gemacht. Sobald
diese Federn geliefert sind werde
ich dieselben unter Nachnahme durch
die Expedition des Stahlfederhalters
Ihnen zusenden. Ich hoffe dass Sie
mit diesen Federn zufrieden sein werden.

Inzwischen bleibe ich Ihr
ergebener

Wilhelm Heintzmann

Herrn Dr. Hermann Cohen
Professor der Philosophie
Marburg

1100

Town of Calgary
District of Alberta
To Wit.

I James Dalton of Dec. 4-23-1W5
Farmer make oath & say,
1st I came to this portion of the North-West in the Autumn of 1873 and have resided here ever since, except going to Montana several times for Stock Raising purposes.
2nd That in March 1879 I first commenced improvements on the N½ Sec 4-23-1W5th and have resided there ever since. That for some months prior to that I resided with Mr. John Glenn adjacent. For 4 years prior to that I lived near Ghost River being engaged in stock raising with one Kaine of Edmonton District
3rd That since 1880 I have had about 6 ac on the SE¼ of Sec 9-23-1W5th
4th That I have obtained H.E. entry to the N½ of Sec 4 in the said township.
5th That the value of my improvements on N½ 4 & S½ of 9. are with new buildings at least $1000, fencing with new at least $900, breaking $350. total $2250 00
6th That under the circumstances I am entitled to purchase from the Govt the S½ 9-23-1W5th at the Govt price $1 00 per ac. being the same treatment that has been accorded Messrs John Glenn and Sam'l Livingston both in the same Township
7th That I am 53 years of age, single man my P.O. is Calgary. never had any Homestead Scrip land claim N½ of Sec 4 aforesaid
8th That I never had any land claims which I have sold. when I had my stock near Calgary was abandoned.

Declared before me
at Calgary this 16th
day of June 1886

James Dalton

1100

1075

1101 Calgary 8 June 6

10th inst making inquiries whether any portion of the Alberta Mining Co's Claims are likely on the B.C. side of the divide and if so to whom to apply

The Boundary between the North West Territories and British Columbia is the Summit of the Rocky Mts. Having seen both of your locations I am of course unable to express an opinion as to which side of the Summit your location lies

You will on inquiry at the Govt. Offices, Winnipeg find a copy of the B.C. Mining Regulations. For any further information I would suggest you apply to Wm Smith Esq. Govt. of Lands & Works, Victoria B.C. It is I think probable you can obtain such assurances from him as will amply protect you should it prove that a portion of your claim is in B.C.

W. J. Haslam Esq
Man. Club
Winnipeg

W. Pearce
Supt.

1101

233

Le 15 avril 1851

Monsieur le Maire

J'ai l'honneur de vous prier de vouloir bien me faire connaître le nombre de jours de travail qui me sont dus pour la construction de la maison que j'habite, rue de la Fontaine-Salée, n° 10, et qui appartient à la Commune.

Je vous serai très obligé de vouloir bien me faire connaître le nombre de jours de travail qui me sont dus pour la construction de la maison que j'habite, rue de la Fontaine-Salée, n° 10, et qui appartient à la Commune.

Agréez, Monsieur le Maire, l'assurance de ma considération distinguée.

M. Schneider

Monsieur le Maire de la Commune de Bourges

1076

1102

Private

16th June 6.

My dear Sir.

I enclose with this copy of a note received from Francis White. McDougall & White. He professes not to wish to embarrass the Govt but at the same time demands his pound of flesh. at least it so strikes me. As soon as the Rev. John McDougall returns I shall go up to Morley again & see him personally. He is expected back today. I dont understand how that article re this lease got in the Calgary Tribune except it, of course you may [illegible] White's letter Specimen. As the Cochrane Ranche Co / or British Canadian Co

have

F. Mc. Burgess Esq
Dep. Min of Interior
Ottawa.
Ont

1105

107b

236

1102

237

1102

not nearly finished their canoe.
I thought we might visit them, & [illegible]
relinquish that portion of 26 South
of the Bow. I would Braden his
improvements - not to make
any more. His buildings consist
I am told wholly of a small
shack (cabin) He has not yet
now come to see me, possibly he
did not receive my letter.

Am well, very busy, love to
all the boys

Possibly

W. Van Slack

1077

1103

Calgary 16th June 1886

Sir

I have the honor through you to direct the attention of the Minister to the following which was brought to my notice during my recent visit in the Porcha Creek

In Edwards corps (Rocky Mountain Rangers) there are some 32 men it is stated that have been living on their claims some 3 years. They are entitled on these grounds to have applied for military bounty warrants instead of to locate them on their respective claims, but as the lands are not surveyed cannot do so before the 1st of next August when that privilege expires. They have written to the Minister of the Interior, on the subject asking as to how the time could be extended. It will I presume require an act of Parliament to do so. These parties are the only ones in the whole country similarly situated. It is not a request for speculative purposes, as a class they are good settlers and worthy citizens and had occasion required I have no doubt would have proved a great assistance to Government.

It occurs to me that this request is quite an extraordinary one and that you may see your way clear to recommend it to the favourable consideration of the Minister

I understand that is known as the Porcha Creek have received assurances that they would receive Bounty Warrants but Col. Macleod states they do not come within the act. Probably this could be explained under

I have the honor to be
Sir
Your obedient servant

1077

238

239

1078

Supt of Mines

2 April & May 1/4 31st May 6

1886
May 31st

Amount due

316 35 — 1886 May 31st

Living allowance from 1st April to 3rd May both days inclusive 33 days at $3.50 per day 115 50

From 4th to 31st May both days inclusive 28 days at $5.00 per day 140 00

Amount of disbursements as per Statement herewith 60 85

316 35

1104

Calgary 31st May 6

W. Pearce
Supt

1104

10 78

230

Supt. of Mines

s —— of April and May 6

1104

1886

| | | | | | | | | $ | | |
|---|---|---|---|---|---|---|---|---|---|---|
| May | 4th | Cab + baggage to Ship | $2.00 | Ottawa, Sleeper Ottawa to Winn | $8.00 | Ry fare Ottawa to Pt. Arthur, | $34.35 | Cab + baggage Winn | 1.75 | 46 10 |
| " | 24th | Cab + baggage Winn | $1.50 | extra baggage | 1.00 | Sleeper + Porter to Calgary | $6 75 | | | 9 25 |
| " | 28th | Telegram Shields Med. Hat | $.76 | Telegram John McDougall Morley | $.29 | Answer from Shields | $.80 | Baggage Calgary | $.40 | 2 25 |
| " | " | " " J. McDougall Morley | $.25 | May 30 + 31. Sleeper to Canmore + return | | | $3.00 | | | 3 25 |

60 85

Certified correct:

Wm Pearce

Supt. of Mines

240

1107

240

Supt. of Mines

Sfapril & may
5
1

31st May 6

1104

1886

May 31st Amount due 316 3s-

1886

May 31st to 3rd May both days inclusive 33 days
at $3.50 per day 115 50

From 4th to 31st May both days
inclusive 28 days at $5.00 per day 140 00

Amount of disbursements as
per statement hereto 60 85-

Total. 316.35

Calgary 31st May 6

Wm Pearce
Supt.

| | | |
|---|---|---|
| ۲۱۴.۳۲ | ۲۵۰ ۲۲۸ | |
| | ۱۴۰ ۰۰ | |
| | ۱۲۵ ۰۰ | |

1104

Supt. of Mines

" of April and May 6

1104

1886

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| May | 4th | Cab + baggage to Ste Anne | $2.00 | Sleeper Ottawa to Winnipeg. | 8.00 | Ry fare Ottawa to St. Anthime | $34.35 | Cab + baggage Winnipeg | $1.75 | $ | 46 | 10. |
| " | 24th | Cab + baggage Winnipeg | $1.50 | extra baggage | $1.00 | Sleeper + Berth to Calgary | $6.75 | | | | 9 | 25 |
| " | 27 | Telegram Shields Med. Hat | $.76 | Telegram John McDougall Hurley | $.25 | Answer from Shields | $.50 | Baggage Calgary | $.40 | | 2 | 25 |
| " | 29 | " J. McDougall Hurley | $.25 | May 30 + 31 Sleeper to Canmore + return | $3.00 | | | | | | 3 | 25 |
| | | | | | | | | | | | 60 | 85 |

Certified Correct

W. Pearce

Supt. of Mines

242

1104

P.

| | | |
|---|---|---|
| | | |
| | | |
| | | |

1104

1078

Calgary 16th June 1886

Sir

I have the honor to enclose herewith my accounts for travelling, living and other expenses for the months of April and May last amounting to $316 35 Kindly have that amount forwarded me here.

Would you also please have placed to my credit Bank of Montreal Winnipeg on account of such disbursements from the 1st of June last the balance of unexpended appropriation for year ending the 30th prox. If that cannot be done please place as large an amount as practice of the Dept will warrant

I have the honor to be
Sir
Your obedient Servant
W. Pearce
Supt

John R. Hall Esq.
Sec. Dept of Indian
Ottawa
Ont

1104

1078

243

L.O. file 52473

1105

1079

Patrick McNamara. Hotel manufacturer
of Calgary Alberta

— one in Ref
Com Lands Office Calgary

Thursday 17th June
6 2 afm

. charges preferred by Mr Agnew
Enquiry against Baptiste Lucas. relative
to taking disposal of his right to Pre-emption
Ref. and any other matters of his
of the 2/2 10 - 24 - 11W 5 - thereby forfeiting
his claim to the same

before me
any papers letters or other documents
bearing on the matter in question
& any & every with you may possess or have in
your possession or charge

6

16th June

J. Pearce
Supt of Lands.

214

1105

C. O. file 52473.

1080

1106

Major Dowling of Calgary Settlement

— one of the

Dom Lands Office Calgary

Thursday 17th June
6 2 afm

Charges preferred by the Rev Augustus Feeney against Capt Gale Comr relative to having dispersed of his right to a portion of Sec 2 & 10-24-1 W 4th and many other actions of his already brought before the Minister

before me

any persons, letters or other documents bearing on the matter in question in any way, which you may possess or have in your possession or charge

6

16th June 6

W Deane
Asst Commr

245

1106

G.O. file 52478

1107

1081

R.F. Lindsay Esq Hon Secy & Calgary
Hon Esq Secretaire

— pour la Ville
ville de Calgary.

Thursday 17th June
& 2 after

Charges preferred by Mr. Augustus Carey
against Baptiste Lacasse relative to hauling dynamite
&c. &c. against the Provisions of Ord. 2 1/2 10 - 24 - 1895 and any
other Ordinances of the Town of Calgary Namely he did
on the Prosecutrix's Claim & other Claims

before me and
proved, that on other documents between the
parties in question & any evidence given by
persons on behalf of the Prosecutor & the

16th June

Chief of Police

1102

C. C. file 52473

1082

1108

William Houston of Z/o 23 – 1W5 ~~th~~ Journ

— me in Hist

Dom Lands Office Calgary

Thursday 17th June
6 2 afton

charges preferred by Mr Augustus Ca ~~m~~ of
any against Baptiste Lucas. relative to having disposed
of his right to a portion of the E 1/2 10 – 24 – 1W5th
and any other actions of his whereby he may have
forfeited his claim to the same

before me Sworn
persons titles or other documents bearing on
the matter in question in any of the said charges you
may possess or have in your possession or power

6

16th June 6

Wm Pearce
Supt of Immigration

1108

C:O file 52473

1083

1109

John Clark of Calgary Silver Prospector

Special Mer

Dom Lands office Calgary

Thursday 17th June
1 2 after

charges preferred by Mr Inspector Cowley against Baptiste Dussault relative to his having disposed of his right & portion of his 2/c 10-24-11 W 2nd and every other acts of his whereby he may have forfeited his claim to said same

Before Mr Keefe

papers, letters or other documents bearing on the matter in question in any way, Should you have any possession or have in your possession or know of

16

16th June 6

W. Pearce
Supt of Mines

1103

C. O. file 52473



1084

1110

George C. King of Calgary Merchant

came in Hon
Dom. Lands Office Calgary

Thursday 17th June
6 2 after

changes preferred by Mr Augustus Carney against Baptiste Amos relative to his homestead right to a portion of the E/2 10-24-3 W5th and any other claims of his whereby he may have forfeited his claim to the same

before me any
~~documents~~ papers, letters or other documents bearing on the matter in question in any way which you may possess or have in your ~~possession~~ or charge.

6

16th June 6

W. Pearce
Supt. of Mines

1110

[illegible]

C. O. file 5-2473

1111

1085

Alexander Grierson of Calgary, Assistant Post master.

— me in the

Dom Lands Office Calgary

Thursday 17th June

6 2 after

charges preferred by Jos Angelus Carney against Baptiste Anas, relative to his having dispossed of his right to a portion of the E/2 N 6-24-1W5th or any other actions of his whereby he may have forfeited his claim to this same.

before me any papers letters or other documents bearing on the matter in question in any way, which you may possess or have in your possession or charge

6

16th June 6

Wm Pearce
Chief Insp. of Mines

250

C. O. file 5-5-473

1084

1111

C. O. file 52473



1112

1086

Colin Campbell of Calgary Barrister at Law.

— sworn in the

Dom Lands Office Calgary

Thursday 17th June
6 2 afte

charges preferred by Rob Campbell Canning against Baptiste Lucas relative to his having deposed of his right to a portion of his 2/2 10-24-1W5th or any other dealings of his whereby he may have forfeited his claim to the same

before me canc
papers, letters or other documents bearing on the matter in question in any way, which you may possess or have in your possession or charge.

6

16th June 6

J. Wm Pearce
Supt. of Immig

1088

1112

251

C.O file 52473

1087

1113

R. Leach of Sp 23-14 5th farmer

— me in the
Dom. Lands Office Calgary.

Thursday 17th June
6 2 after

charges preferred by Rd. Augustus Carey
against Baptiste Ames relative to his having disposed
of his right in portion of the E/2 10-24-14 5th or any other
actions of his whereby he may have forfeited his claim
to the same.

before me any
papers, letters or other documents bearing on the
matter in question in any way, which you may
possess or have in your possession or charge

6

16th June 6

W. Pearce
Supt. of Mines

1113

Le Maire de Paris

à

Monsieur le Préfet de police.

Monsieur le Préfet,

J'ai l'honneur de vous prier de vouloir bien faire procéder d'urgence à l'expulsion du sieur [illegible] dont l'arrêté d'expulsion pris à son égard le 23 juin 1914 vient d'être rapporté.

Je vous serais obligé de vouloir bien me faire connaître la date à laquelle cette mesure aura été exécutée.

Veuillez agréer, Monsieur le Préfet de police, l'assurance de ma considération très distinguée.

Le Maire de Paris

[illegible]

C. O. file 52473

253

1088

1114

Major James Walker of Calgary Lumberman

— was in the

Dom Lands Office Calgary

Thursday 17th June
6 2 after

Charges preferred by Rob Augustus Carey against Baptiste Amas relative to his having disposed of his right to a portion of the S/E 10-24-1W5th or any other actions of his whereby he may have forfeited his claim to the same.

before me any papers, letters or other documents bearing on the matter in question in any way, which you may possess or have in your possession or charge

6

16th June 6

W. Pearce
Supt. of Mines

C. O. file 5848/25

8801

1114

Medical Officer of Health Manchester

Dear Sirs

Yours

Chief Constable

Please furnish the Inspector from the Corporation Hospital with a list of the names and addresses of persons who have been notified to you as suffering from Infectious Disease during the week ending 10-12-21 and oblige.

Yours truly

Medical Officer of Health

C.O. file 52473

1089

1115

George Minielans J Lp 24-14 S^te Jasmine

— me in the
Dom. Lands Office Calgary

Thursday 17^th June
6 2 afts

Charges preferred by Lt. Augustus Carey against Baptiste Omas relative to his having dispossessed J his right to a portion of the E/2 10-24-14 S^te or any other actions of his whereby he may have forfeited his claim to the same.

before me any papers, letters or other documents bearing on the matter in question in any way which you may possess or have in your possession or charge

C

16^th June C

J. Pearce
Supt. D. Lands.

234

C.O. file 52473

1115

1084

C. D. file 52473

1090

1116

Robt Barclay of Calgary, gentleman

— me in the
Dom Lands office Calgary

Thursday 17th June
6 2 after

charges preferred by Mr Augustus Carney against Reginald Arnold relative to his having disposed of his right to a portion of the E½ 10-24-1W5th or any other actions of his whereby he may have forfeited his claim to the same.

before me any
persons, letters or other documents bearing on the matter in question in any way which you may possess or have in your possession or charge

6

16th June 4

Wm Pearce
Supt. of Mines

C.O. fol. 524-528

1116

1040

252

Sent per Mail of Lloyd Austriaco

— per il Mar

Mr. Thomas Phipps Esquire

Smyrna

5 82

Mr. Thomas Phipps Esquire

Smyrna

Per Mr. Thomas Phipps Esquire

Smyrna

5

Mr. Thomas Phipps Esquire

Smyrna

G.O. file 52473.



1117

1091

Patrick McNamara of Calgary, Shoemaker, Angus Dowling of Calgary Gentleman, D.J. Lind of Calgary, Mr. J. Imrie Cairns, Wm. Houston of Tp 23-1W5th Farmer, John Clark of Calgary retired Farmer, G.C. King of Calgary Merchant, alias Gilmore of Calgary Asst Postmaster Colin Campbell of Calgary Barrister at Law, A. Lucas of Tp 23-1W5th Farmer, Irving James Walker of Calgary Gentleman, Geo Brown of Tp 24-1W5th & Robert Beattay of Calgary, Gentleman,

— are in the Dom Lands

Office Calgary

Thursday 17th June
6 2 after

charges preferred by Mr. Augustus Carney against Baptiste Mr. Amas relative to his having disposed of his right & portion of the E/2 10-24-1W5th or any other actions of his whereby he may have forfeited his claim to this Homestead

before me any papers, letters or other documents bearing on the matter in question in any way, which you may possess or have in your possession or charge

6

16th June 6

Wm Pearce
Asst Supt of Mines

1117

C.O. file 5247/23.

250

Calgary 16th June 1886

1118

1092

Sir

I have the honor to acknowledge the receipt of yours of 6th inst. which I received on my return here a day or two since

In reply I may state that copies of the new mining regulations are expected by every mail. Owing to the pressure of work on the Queen's Printer during the late Session of Parliament, such work being by law required to be executed by the Queen's Printer it has been impossible to obtain them; but now that the Session is closed, I presume he has now or within a very few days overtake this so that probably be issued within immediately

I have seen the draft of said amended regulations which however may be modified to some extent on submission to council so that no positive assurances can be given you; but I may state that they will probably differ from the original or present regulations in permitting claims to be taken up along the beds or veins not confined to N & S, E & W lines, and further that the annual outlay to hold a claim will not exceed $200.00 per annum, with possibly a provision for persons in partnership to any the No. of 3 or 4 and where their claims are adjacent and on the same vein putting in for the 1st or second year the combined development on one of the claims

I have the honor to be
Sir
Your obedient servant
W. Pearce
Supt

John Lewis Esq
Silver City
Alberta
C.P. Ry

1118

1093 258

1119

Calgary 17th June 1886

Sir

I have the honor to enclose herewith for record in your Office and any further action that may be taken, a claim received yesterday from H.O. Also that a copy of it may be sent to H.O.

On Sec 10-9-26 W4th there is a squatter named F.X. Bertrand, the evidence taken by me on the 22nd August last in reference to this claim is enclosed herewith under Calgary Office file No 985. For full report and recommendation in this case I would refer you to mine of the 12th Sept 1885: which I presume is in your Office, and would recommend he be permitted to H. L.S. 7 & 8 and that portion of the W 1/2 Sec 10-9-26 W4th lying South of the Old Man's River. and that he be permitted to purchase or pre-empt at $2.50 per ac. all of L.S. 5 & 6 lying South of the Old Man's River. the portion to be pre-empted or sold contains 57 ac.

With reference to Sec 9-9-26 W 4th I have not met last autumn this squatter named Frederick Lapointe and — Morin On the 28th Inst. last I sent him two blank forms to fill up. specifying fully their claim thereto, so far I have received no reply. If they are in your Office please send them or copies thereof forwarded me.

At all events Sec 9. can no longer be retained for Mounted Police purposes. besides being across the Old Man's River from the Barracks could not be retained in connection therewith to advantage.

I had not the instructions from Headquarters of the Interior when at Ft. Macleod the other day but discussed this matter with Capt Colliston and the Commissioner Herchmer of the Mounted Police and it was decided to relinquish Sec 9 and

A.H. Smith Esq.
Com.r Dom. Lands
Winnipeg

1173

Berlin, 12. Juni 1882

1119

Mr. Ed Smith Dec 10 resigns as Director
for Ark. in Gen Bd & in the Town Township.
5 Dec 1874 in Bois Township Mill on our
property.

I suggested if only Gulet Work
& Quarrie- time & water in Mr Meadows
Field. multiply on Section on & depart of
Dec Bo. Mr Ralph & Bro & Mr Bennie
Mr Bolton is from Mr Greenwood & C &
from running Mr Jones.

Jennifer Point Spur Cottrin &
Dec. Mrs- in Bolton 1874 on Dec 9 was
Jones running & Township Jones Meadows
Jones it- with Pontiac & Greenwood Spur
Jones "Dec 9" Cottrin Bois Jones Spur
Jones on & Spur Pontiac with Dec
Bois Jones.

Bill Cottrin & Jones Township
Jones Mr Jones Etc
Dec
Spur Pontiac Jones.

GLS

1119

and that portion of Sec 10 occupied by Bertrand and take in lieu Sec 3 in the same township. On Secs 2 & 4 in said township there are now squatters.

I suggested to Capt Collins that he forthwith insert a notice in the Macleod Gazette, notifying all parties not to squat on said Sec 3. and apply at once to the Minister of the Interior to have the necessary "O in C" passed reserving the same.

I might direct your attention to this, that in I think 1882 an Order in C was passed reserving a township around Macleod and it will probably be necessary to pass another "Order in C" abolishing said reserve before entry can be granted parties within the original reserve.

All of which is most respectfully submitted

I have the honor to be
Sir
Your obedient Servant.

W. Pearce
Supt

1094 260

1120

Calgary 19th June 1886

Sir

Under instruction from the Hon the Minister of the Interior in August last it was arranged with Mr Angus Fraser that he should relinquish to the Govt the E/2 of that portion of the N W/4 14-24-1 W 5th lying South of the Bow River, and that the W/2 of the same portion should be sold him at $1.00 per ac. According to plan of said property I should estimate area of same at 33⅓ ac. You will therefore carry out sale to him at price mentioned.

You will please enclose this with returns to H.O. as authority for action taken, and send duplicate of same to the Com[r] Office Winnipeg

I have the honor to be

Sir

Your obedient Servant

Wm Pearce

Supt

Agent Dom Lands

Calgary

Alberta

260 1094

1120

Calgary 19th June 1886

Sir

Under instructions from the Hon the Minister of the Interior in August last it was arranged with Mr Pat Burns of Morley that he should relinquish to the Govt the S/2 of that portion of the NW 1/4 18 - 24 - 1 W 5th lying South of the Bow River, and that the W 1/2 of the same portion should be sold to him at $100 per ac. According to plan of said property I should estimate area of same at 33 1/3 ac. You will therefore carry out sale to him at price mentioned.

You will please endorse this with return to H.O. as authority for action taken, and send duplicate of same to the Com of Dom Lands Winnipeg

I have the honor to be

Sir

Your obedient Servant

W. Pearce
Supt

Agent Dom Lands
Calgary
Alberta

1095

Immediate
& unofficial

1121

Calgary 19th June 1886

Sir

It has been represented that in the answer given to a certain petition or memorial addressed to the Govt by the Settlers in the vicinity of Calgary in the Autumn of 1882 ~~in their Respective Homes~~ certain assurances were given them, and that on those assurances the Settlers on the odd Secs in this vicinity have their claims for Govt protection.

This petition had reference to grazing leases, timber dues, and the reservation of certain lands in the vicinity of Calgary I have therefore the honor to request a copy of said petition or memorial be sent me, also reply thereto, with as little delay as possible.

Would you also send a copy to the Commr Winnipeg, as no doubt Sir John A Macdonald's attention will be directed to it when he visits Calgary.

Would you kindly bring this to the attention of Mr Burgess.

You may use this officially if desired.

I have the honor to be

Sir

Your obedient Servant

W Pearce

Supt

John R. Hall Esq.
Sec. Dept of Interior
Ottawa
Ont

261

1121

Immediate

Calgary 19th June 1886

Sir

It has been represented that in the answer given to a certain petition or memorial addressed to the Govt by the settlers in the vicinity of Calgary in the Autumn of 1885 ~~in the [illegible]~~ certain assurances were given them, and that on these assurances the settlers on the said lands in this vicinity base their claims for Govt protection.

This petition has reference to grazing leases, timber dues, and the reservation of certain lands in the vicinity of Calgary. I have therefore the honor to request a copy of said petition or memorial be sent me, also reply thereto, with as little delay as possible.

Would you also send a copy to the Com.rs Winnipeg, as no doubt this forms a [illegible] attention will be directed to it when he visits Calgary.

Would you kindly bring this to the attention of Mr. Burgess.

You may see the necessity of despatch.

I have the honor to be
Sir
Your obedient servant
W. Pearce
Supt.

John R. Hall Esq.
Sec. Dept. of Interior
Ottawa
Ont

Private

1122

19th June 6

Dear Sir

It has been represented to me that the answer given to a certain petition or memorial addressed to the Govt by settlers in the vicinity of Calgary in the Autumn of 1882 a certain assurances were given them and that on that the settlers on the odd Secs in this vicinity have their claims for Govt protection

The petition had reference to grazing leases, timber dues and the reservation of certain lands in the vicinity of Calgary.

These points purpose writing on Sir John. "Consulting him", however I have thought it advisable to direct your attention thereto.

I have asked for a copy of this petition to be sent me, also one to the Com Winnipeg

Yours faithfully

Wm Pearce

Hon Thos White
Minister of Interior
Ottawa
Ont

1097

immediate & unofficial

1123

19th June 6

My dear Smith

It has been represented that in a certain petition or memorial addressed to the Govt by settlers in the vicinity of Calgary in the Autumn of 1882 in the deputy Minister certain assurances were given them and that on that the settlers on the odd Secs in this vicinity have their claims for Govt protection

The petition had reference to grazing leases, timber dues and the reservation of certain lands in the vicinity of Calgary.

These points purpose writing on Sir John. "Consulting him". However I have this day requested that I shall be sent a copy of petition and reply sent you also one to me. and have directed that White's attention to this

Expect to go to Qu'Appelle on Monday and on to Banff for investigations there. The White as he always will do as kindly as ever. I thank White for my protest in it.

Very truly yours

Wm Pearce

A. H. Smith Esq
Com Dom Lands
Winnipeg
Man

1096

202

1153

1153

1098

1124

Calgary 18th June 1886

Sir

I have the honor through you to direct the attention of the Minister of the Interior to a scheme, which I think would prove of very great advantage to a large section of the Country & must can be accomplished with a very moderate outlay, viz the diversion of High River into the Little Bow. If this was done the grazing capabilities of that Section of the Country would be increased by many thousand head of cattle, as it is now there being no water many miles on either bank is rendered useless for Winter pastures.

The district on both banks of the Little Bow is admirably suited for Winter pasturage, if there was water. The grazing capabilities of any district must be measured by its capacity for Wintering Stock. In this summer there always will be a surplus. By reference to the maps you will notice the Little Bow is located about midway between the Bow & Belly Rivers & the Old Man's a branch of the latter.

By reference to the Maps of Tps 18. R 29 W 4th you will notice an irrigating ditch has been constructed across Sec 2 33, 34 & 35. the water is diverted by the construction of a very small dam from the Little Bow you will notice a low hill extending across Sec 2 25, 26, 35 & 34 at the foot of which is an old channel which at one time was the bed of High River, which has almost at one time was the source of the Little Bow. At present in very high water the High River discharges a large amount of its water through the Little Bow, and the outlay

W. H. Smith Esq.
Com. Dom Lands
Winnipeg

1124

1098

203

1124

1124

outlay of probably 3 or 4000$ would make such discharge permanent. Some state $1000 would accomplish it. That is by cutting a large ditch from near the South West corner of the S W ¼ 34 – 16 – 19 W 4th about west to High River and constructing a low dam where it would cross said River. The action of the water would soon enlarge the ditch. A portion of that river could be left to follow its present course, thereby preventing injury to any interests below.

Longue and Sheep Creeks a short distance below furnish sufficient water, were the whole of High River diverted.

All of which is respectfully submitted

I have the honor to be
Sir
Your obedient Servant

W. Pearce
Insp.

1125
1099

1124

1125

Calgary
Alberta
To wit

I, Samuel William Lee of the town of Calgary, dairyman make oath and say

1st That on the South-East ¼ of Sec 24 - 1 W 5th I have upwards of 40 head of horned cattle.

2nd That I have fencing material on said ¼ Sec and logs sufficient to enclose 25 ac. which cost me $50.00

3rd That I have on said ¼ Sec a partly-constructed house which I intend to occupy for before obtaining only the said ¼ Sec was purchased to keep the said premises under by the first Instalment.

4th That if I am not permitted to obtain the said ¼ Sec on the terms offered me by the first last July I shall suffer very material loss. It now costs only 140 head of cattle, and for sake of stock I particularly require the said ¼ Sec - that is why I applied for it.

Sworn before me at Calgary
this 19th June 1886

Wm Stuart
Supt

Samuel William Lee

1125

1100

Calgary 19th June 1886.

Sir

I have the honour to enclose herewith an application by D. W. Scott. in connection with his claim to purchase the S/20-24-1W5th on the terms mentioned in July last.

I have the honour to be

Sir

Your obedient Servant

J. Stoughton

Capt.

D. W. Scott Esq
Com. Dom. Lands
Winnipeg
Man

1125

266

1101

1126

Calgary
16 June 1886

Sir

In response to your telegram of the 11th inst. when at Lethbridge to make investigation and report on the claim of Joseph Hall who obtained Homestead & Pre-emption to E½ 36. 8. 22 W4th. I have the honor to report.

On the 10th May 1886 he applied for and obtained H. entry to the S.E¼ and P. entry to the N.E¼ of the same, making the usual declaration that it was unoccupied and unimproved and of the class open for H. & P. entry. He received the usual receipts

By order in Council of the 19th Oct 1886 all of Tps 8 R 22 W4th was granted to the N.W. Coal and Navigation Co. as part of their land grant for construction of their Railway.

By order in Council of the 21st May 1886 this Company relinquished amongst other lands the E½ N.W¼ Sec 36. 8. 22. W of 4th Mer. but purchased the same as coal lands at $10 p. per ac.

It will thus be seen that at date of Hall's entry all the E½ of Sec 36 was not at the disposal of the Govt. therefore not open for H. & P. entry. Further on the N.E½ of 36 there were a number of buildings to the value of several thousand dollars also a portion of the Coal Co's inclined tramway for carrying coal from mouth of mine to the "Pot Head".

On my arrival here, I instructed Mr Agent to write Hall. the letter copy enclosed.

M. N. Smith Esq
Com. Dom Lands.
Winnipeg

Calgary
16 June 1886

Sir

In response to your telegram of the 11th inst. when [illegible] to make investigation and report on the claim of Joseph Park who claims Homestead & Pre-emption to Sec 30. 5. 22 W 4th. I have the honor to report.

On the 10th May 1886 he applied for and obtained H. entry to the S½ and P. entry to the N E ¼ of the Sec. making the usual declaration that it was unoccupied and unimproved and of the class open for H & P. entry. He received the usual receipts

By order in Council of the 19th Oct 1885 all of Sec 30 Tp 22 W 4th was granted to the N W Coal and Navigation Co as part of their land grant for construction of their Railway.

By order in Council of the 3rd May 1886 this Company relinquished amongst other lands the Sec in question the 30. 5. 22. W 4th but purchased the same as Coal lands at $10 per ac.

It will thus be seen that at date of Park's entry all the Sec of the 30 was not at the disposal of the Govt. therefore not open for H & P. entry. Further on the N E ¼ of 30 there was a number of buildings to the value of several thousand dollars also a portion of the Coal Co's inclined tramway for conveying coal from mouth of mine to the "Pit Head".

In any event I am satisfied the Agent [illegible] [illegible] the entries [illegible] cancelled.

H. H. Smith Esq
Comr Dom Lands
Winnipeg

[signature]

1126

If one thought on one's feet one only
used pencil. In fact, I think it often is
by the effect one's thoughts. The final result
the title of which is not printed on the cover, therefore
that one cannot know one of the authors
wanted me to leave out punctuation. He knew
that there existed the punctuation of the local
dialect with the result that he used to omit
it whenever he could. When reading a manuscript
he had spent no particular enjoyment. Therefore
I can simply no claim for compensation for damages
sustained by reading of afternoon sheet until.

Letters & Periodical distributors, Inc. That was not
them. Inc. C. C. Wagnalls, Grand Rapids of the Great
Northwest are there a few days ago. Mr.
That had written on hand drafted by one
individual writing to individuals or clients to start
local elections. Read aforementioned for giving the
final the conveyance by hand. It is very important
that typing questions be set one by hand from time
to time selection with this in mind.

Should be known where we the necessary penalty
of murder it is different from the punishment by the
laws (if it does that word not cover the
word sufficient to enable to the local question.

Do I assume by mere I mean to the effect or
whether there is still a punishment. I think
it desirable if one refers for instance to
pointing the F on which the punishments are
graduated according to their severity, this difference in
punctuation (as given by Aphrodite) of that known
as the Book Jacket. Correct in the punishment

It was through an oversight that the entry was granted, in fact, I take it that such entry is of no effect whatever. the Govt cannot grant lands the title of which is not vested in the Crown. Further Noel was aware or should have been of the improvements on the land in question. He had a Penny erected thereon himself by permission of the Coal Co'y with the understanding that he was to remove it whenever required. Even making or obtaining entry he has made no further improvements. therefore can prefer no claim for compensation for damages sustained by reason of obtaining said entry.

When I visited Lethbridge, Mr. Noel was not there. Mr. C. A. Magrath, Land Comr. of the Coal informed me that a few days previously. Mr Noel had waited on him and stated he was perfectly willing to relinquish all claim to said hay section. and apologized for giving the Com pany the annoyance he had. It is not probable anything further will ever be heard from him in connection with this matter.

Should he however move in the matter, plenty of evidence it is stated can be furnished by the Coal Co'y to show that Noel was well aware he was not entitled to entry to the land in question.

As however he made H. entry to the S & E on which there are little or no improvements. I think it doubtful if an action for Perjury could be successfully maintained. His statement regarding the P on which the improvements are is possibly one on which no action could be taken (on form for P. application) Of that, however you are the best Judge. Could not be punished

for

To Page 270.

1102

1127 Calgary 17th June - 6

Hand you herewith an application by Mr D. J. Campbell of Ft Macleod on behalf of J. R. Scott & Hrs for the E/2 S.E. 25 & 4 and of W.R. Sapro & Hrs for W/2 of the same Sec also my reply thereto which indicates the action you will please take in this matter

The reservation alluded to is one created in March 1882 embracing a township of which the Mounted Fort Macleod was the centre. It will require an O in C to cancel the same before any entries thereon will be legal.

I would suggest that you request the Head Office to pass the necessary O in C without delay as I understand Mr Scott intends applying a Military Bounty Scrip on the said 1/2 Sec In the mean time you may receive this applications thereby securing to them the lands when said reservation is cancelled

Yours Truly

Wm Pearce
Supt
Im Affrs.

Im Agent
Dominion Lands
Lethbridge

293

1127

Cuidad de Mexico - 6

Señor Ministro de Estado y del Despacho de Relaciones Exteriores.

Tengo el honor de dirigirme a Vuestra Excelencia con el objeto de manifestarle que el Gobierno de mi cargo ha tenido conocimiento de la nota que con fecha 22 de Noviembre del año próximo pasado se sirvió dirigirme Vuestra Excelencia, relativa a la reclamación que ante el Gobierno de Vuestra Excelencia ha entablado el Señor Ministro de los Estados Unidos de América, Mr. Thomas Corwin, por el asesinato cometido en la persona del ciudadano americano Mr. Kelly.

Mi Gobierno, deseando dar a este asunto la mayor prontitud posible, ha dispuesto que se nombre una comisión especial que se encargue de examinar detenidamente todos los documentos que existen en el Ministerio de mi cargo, relativos a dicho asunto, y que dicha comisión dé su dictamen en el término de quince días, contados desde el de la fecha de la presente nota.

Aprovecho esta ocasión para reiterar a Vuestra Excelencia las protestas de mi alta consideración y respeto.

Dios y Libertad.

Mexico, Noviembre 17 de 1849.

Mariano Arizcorreta

Señor Ministro de Estado y del Despacho de Relaciones Exteriores.

From Page 266

1127

perjury. I would be disposed to recommend criminal proceedings be instituted. Something long necessary to make people pay more regard to affidavits, they are becoming to be looked upon by many as mere forms

I might add that the land in question is not suitable for agriculture being an labyrinth of towering and steep hills

I have the honor to be
Sir
Your Obd't Servant
Wm Pierce
Dep't

270

1127

Preferred to delay the recommended Resource
Procedure of Institute. Something very necessary
to make Purple Heart more organized & effective, that
can becoming to be handled when I resigned or was
found

I suppose that the local organization is not
subject to question. Very respectfully submitted
Your obed't svt

[illegible]
Asst Surgeon
Gen'l

1103

1128

Calgary 17th June 6

11th applying on behalf of J.R. Scott to H.W.P. the E½ of 6-9-25 W4th and on behalf of W. B. Sayers to H.P. W½ of same Section. and asking also that your application on behalf of Sayers dated 15th May be cancelled –

In reply. I have to say that I have this day sent the necessary instructions to the Lethbridge Agent and as that office will now be opened in probably ten days I would suggest that the parties present themselves and Agent will then their applications. he cannot grant them the Accepts till an "Order C" is passed Cancelling an old Reservation around Macleod. but that no doubt will be cancelled in a very short time.

I would beg to direct your attention to one point with which I am certain you will cheerfully comply- that is Write as many letters as you have persons or Subjects. under our System of keeping the Records if this be not followed. much is attending to matters and mistakes may arise. one Subject being attended to the others not –

Duncan J. Campbell Esq
Macleod –

Wm Pearce
Asst
Dept Interior

271

1103

1128

Cotgrave 1. Jhon 6

Mr. Secretary of State

Mr. Secretary of War

Mr. Secretary of the Navy

Mr. Secretary of the Interior

Mr. Secretary of Agriculture

Mr. Secretary of Commerce

Mr. Secretary of Labor

Mr. Secretary of Health, Education and Welfare

Mr. Secretary of Housing and Urban Development

Mr. Secretary of Transportation

Mr. Secretary of Energy

Mr. Secretary of Education

Mr. Secretary of Veterans Affairs

Mr. Secretary of Homeland Security

Dear Mr. Secretary:

I am writing to you as a concerned citizen and a member of the Democratic Party. I am deeply troubled by the recent actions of the Trump administration and the Republican-controlled Congress, and I believe that we must take a stand against these policies that are harmful to our country and our democracy.

First and foremost, I am deeply concerned about the Trump administration's efforts to undermine the Affordable Care Act and to take away healthcare coverage from millions of Americans. The ACA has been a lifeline for many people, providing them with access to affordable healthcare and protecting them from being denied coverage because of pre-existing conditions. The Trump administration's efforts to repeal the ACA without a viable replacement plan would have devastating consequences for millions of people, and I urge you to oppose these efforts.

In addition to healthcare, I am also concerned about the Trump administration's efforts to roll back environmental protections and to promote the use of fossil fuels over renewable energy sources. The science is clear that climate change is real and that it is caused by human activity, and we must take action to address this crisis before it is too late. I urge you to support policies that will help to reduce greenhouse gas emissions and to promote the development of clean energy sources.

Finally, I am also concerned about the Trump administration's efforts to undermine the rule of law and to politicize the Department of Justice. The Department of Justice is supposed to be an independent agency that is free from political interference, but the Trump administration has repeatedly interfered with the Department's investigations and has appointed loyalists to key positions within the Department. I urge you to support efforts to restore the independence of the Department of Justice and to ensure that it is able to carry out its mission without political interference.

Thank you for your time and consideration. I look forward to hearing from you soon.

Sincerely,

[illegible]

1104

Immediate

1129

Dominion Lands Office
Calgary 17th June 1886

Sir

In Sept 1882, a reservation of about one Township was made around Fort Macleod by "Div C" and such reservation has never been Cancelled some of these Lands, as for instance Sec 6. 9. 25 is not under lease and there is no reason why the same should not be open to entry - Two parties James A Scott & W. B. Sayers desire to enter the said Sec: the former for E½. the other the W½ - The former wishes to place his Military Bounty warrant on the same, he having been a Member of the Rocky Mountain Rangers. the 1st of August will soon be at hand and to make the entry complete. the necessary order in Council should if possible be passed. and entry made upon date mentioned I have requested the Agent at Lethbridge to receive their application but not grant receipts till necessary order in Council is passed

I have the honor to request if you know of no reason why, the same should not be thrown open for entry, to forward this to the Minister of the Interior urging the necessary action be taken without delay

I have the honor to be
Sir
Your Obt Servant

Wm Pearce
Supt
Mr Dom.

H. M. Smith Esq
Commissioner. Dominion Lands
Winnipeg
Man.

273

1104

1129

Dominion Lands Office
Battleford 17th June 1886

Sir

I have the honour to acknowledge the receipt of your letter of the 12th instant enclosing the documents relative to the claim entered by Joseph Dion for the South East quarter of Section one Township forty four Range twenty four West of the third Meridian

I have also received the Declaration of Settlement duly executed by the said Joseph Dion

I have the honour to be
Sir
Your Obedient
Humble Servant
[illegible]

Lieut. Col. Dennis
Surveyor General
Dominion Lands
Ottawa

1130

1105

Immediate & Private

Calgary 23rd June 6

Sir

I have the honor to inform you that I have just returned from Morley trying to arrange the dispute between White and the Morley settlers, but before a final settlement can be arrived at Mr White requires to know exactly what lands he is to receive in lieu of those relinquished, hence my telegram re Cochrane lease

He wishes to receive only the W½ of Tp 25 and that portion of 26 South of River in Range 5 West he wishes to retain all that portion of his present lease lying North of the Centre line of Tp 26. R 6., that is the portion North of what has been surveyed for Morley settlers.

As you will notice from his of the 9th, a copy of which I enclosed you about a week ago, his demands are that - he be remunerated for present outlay. That is, buildings be exchanged for equal value to those owned at present by him.

On the other hand Mr McDougall states that the present buildings have no value on the orphanage claim as it is of no more value to it. Even the material in them, chiefly dry spruce logs or poles 6" to 10" diameter.

Another point to be decided as having a bearing on this case is. What is to be charged the Morley settlers for their lands.

William

J. McBurney Esq.
Dept Min of Interior
Ottawa.

274

1130

Brussels
4 June

Belgium 23rd June 1

[illegible]

1130

1130

Settlers that convey and embraced in White's lease that on about 65000 ac, over and above the portion claimed by the McDougall orphanage. There are probably seven settlers entitled to a pre emption of 160 ac each, which will leave in round numbers 5400 ac. to be purchased. The areas claimed might be larger are not more so than are required for stock grazing purposes and if the duty for increasing the price is placed the same as at Edmonton, viz 1st Sept 1880 there will be claimed by these settlers at least 4000 ac. at $1.00 per ac. The balance 1400 it will be contended should not be charged for at a higher price. It is land suitable only for stock and at the rate at which lands are leased by the Govt $1.00 is a high price

It will take at least 1000 ac to pay out or pay White for his loss in giving up location and removing to new ground. or rather taxes You will notice he demands a new lease on the same terms as the old one. viz 1ct per ac. per annum. which under the circumstances may I think be granted.

These settlers might be required to pay for any 5400 ac at the rate of 1ct per ac. for any the past 4 years, excepting one year during which it has been occupied by White $54.00 a year for 3 years = $162.00

If White abandons his claim or lease wholly on this side of River, they should also pay at some rate for acreages South of Centre line of Tp 26. assigning his lease to settlers in this district

Money is worth to these settlers at least 6% per annum. The Govt charges that rate on overdue payments on lands. Leases at 1ct per ac. per annum. Intervening land

1130

land at £100 per ac. rents it would 5 cts per ac. per annum to settlers to lease settlers then purchase. 5400 ac. at 5 cts. per ac = £270.00

Assuming it costs £1000 to buy out Waiti 1000 − 162 (buy back rent) = 838.

$\frac{838}{270}$ = 3+ therefore the proposition I would suggest would be on this basis

Let all the settlers in eligible within the Woody settlement form a Company and lease the land at 1 ct per acre for sufficient time to make up the £1000 to Waiti, and at the expiration of that time to purchase at £1.00 per ac. The settlers by this scheme would practically pay in advance the rental at rate of 5 cts per annum which would go to must fund to buy out Waiti. The 1 ct go to the Govt. After that if they did not purchase they would be charged at the rate of 6% per annum on £1.00 per ac. This scheme if approved will require no outlay in cash by the Govt to arrange this matter. It is treating the settlers liberally and is an arrangement I feel confident would be complied. If rejected they could then make no capital out of this matter and that money will be lost.

If within the said 3 or 4 years any one wishes to acquire title permit him to do so on payment of rate of £1.00 per acre and same then to be deducted from amount leased.

At present if land were open for sale and the settlers [illegible] Waiti probably

1130

1130

would meet Government views in regard to their pre-emptions be granted one, two or three years extension without having to pay interest. Therefore many Indians selected on reserve from Government would suffer materially

There is another way this indemnification to Mr White might be met. viz. the Grant comes from Indian Dep^t, let Mil^a Dep^t advance amount to get rid of Mr White. It is similar to a payment on an Indian Reserve. Mil^a Dep^t could charge this item as grant in aid of McDougall orphanage.

Mr White informs me he has exhausted his means, and it is impossible for him to move without financial assistance

Like all other quarrels it has been rendered much the more difficult of solution by a good deal of high Language indulged in by both parties.

So far as Bruin's claim to the township South of River Mail may be ignored. A full report thereon will go by next mail.

Please telegraph me if I may make either of these offers suggested.

You may of course make this official if you see fit. In haste.

I have the honour to be

Sir

Your obedient Servant

W. Pearce

Supt

1106

1131

Calgary 24th June 6

Thos Deabiney Esq.
Donald. B.C.

Investigation will be held Eighth July into Banff Springs claims

collect.

Wm Pearce

1107

1132

6

1131

1105

278

1108

Calgary 25th June 1886.

1133

Sir

Re Dot 11th 1884 I enclosed certain papers regarding claims to Sec 32 Tp 12 24 W4th and named expressed copies of all minutes [illegible] sent [illegible] Kobuk & Hay. Sir [illegible] letter enclosed in [illegible] Calgary in reference to this claim, since I wrote I have received before writing a recommendation in his favor.

I have the honour to be

Sir

Your obedient servant

[illegible]

[illegible]

Hon. Edmonton

Ter.

Hon. Edmonton
Ter.

1133

confidential

1134

1109

Calgary 23rd June 1886

Sir

I have the honor through you to direct the attention of the Hon the Minister of the Interior to the following.

Lease No 45. Known as the Mounted Rangers Ranche Co is in financial difficulties It was one of the leases gazetted on which settlement was not permitted. Many have squatted on it and request they be protected, and petitions in granting a lease to the new proprietors the assignees of the original ones. That the lease be granted subject to settlement. These parties claim that as the original leaseholders have forfeited their rights through non compliance with the terms of said lease the Govt is at liberty at this date to deal with the present claimants as may be deemed best in the public interests. That in the public interests it is advisable it should be open to settlement, it being very well suited for small ranches. There being a plentiful supply of spring w. On the latter point their contention I feel confident correct, as to whether the Govt can deal with it as is requested I am not in a position to form an opinion; but have thought it advisable to direct your attention there to.

This though marked confidential may be made official if desired.

I have the honor to be
Sir
Your obedient Servant

J. Stace
Insp.

A. W. Smith Esq.
Com. Dom Lands
Winnipeg

1134

1109

pursuant

1135

Calgary 25th June 1877

My dear Home,

I am making patently for as many copies of the report of the Dep.t of the Interior as you can obtain, & for such you: When I receive them I will see what are missing and try and send them up if possible. Would you please have any more sent on the books so that they will not be taken from me.

When ready I expect there Dom Lands Act which will be bound in one volume & for all the Dep.ts: Be good to yourself:

Yours truly

W. Pearce

Jno Home Esq
Dep.t of Interior
Ottawa

pursuant

1136

25th June 6

My dear Hall.

Would you kindly have sent me a copy of the Statutes for 1875: so soon as they are out of the hands of the printer a copy of those of 1876 and also the Consolidated Statutes

& oblige Yours truly

W. Pearce

J. R. Hall Esq.
Sec. Dep.t of Interior
Ottawa

111

110

281

1110

1138

1111

1113

1112

1137

Calgary 25th June 1886

Sir

I have the honor to acknowledge the receipt of your of the 23rd inst. Ref. 112602, requesting that I institute inquiries as to whether there are any settlers South of the Stony Indian Reserve in Tp 26 R 8 W 5th and to reply to state that from inquiries made when at Morley a few days ago I ascertained there were none.

I further learned that the portion the Indians wished to obtain was Tp 26. R 7 W 5th and under lease, and it is doubtful if they will accept anything in Tp 26. R 8 in lieu of the portion they desired to abandon as Tp 26 R 8 is chiefly timber.

The Band of Indians have a very fine Reserve for Stock purposes, capable of sustaining much more Stock than they are likely to have for many years.

Should however they make the exchange I am told the portion they wish to abandon is very well suited for a horse Ranche.

I have the honor to be
Sir
Your obedient Servant

J. Pearce
Supt.

J. R. Hall Esq.
Sec. Dept of Interior
Ottawa.

1137

Dublin 23rd June 1922

Dear

I have the honour to acknowledge the receipt of your letter No. 1137/22 requesting that I should furnish you with a statement showing the number of Police Barracks which have been evacuated by the Crown Forces in the County Kerry since the 1st January 1922.

In reply I beg to state that the following Barracks have been evacuated by the Crown Forces since the above date.

[illegible]

I have the honour to be,
Dear Sir,
Your obedient Servant,

[illegible]

[illegible]
Asst. Chief Secretary
Dublin Castle.

1113

1138

Calgary 26th June 1886

Ref. No 14339. N.W.T. 322

Sir

Immediately on receipt of your telegram that Messrs Breckin claimed to have erected buildings on the W½ half of Lots. 25 & 26. R. 5 W 5th I wrote them the following letter.

Calgary 1st June 1886

Gentlemen

By a telegram from Ottawa I was advised that you claimed to have erected buildings on the W½ of Lots 25 & 26. R. 5 W 5th, for which Lots tenders were called for and have been granted to others parties. You will therefore please abstain from making any further improvements on the lands in question.

Would you please send me with as little delay as possible information on the following points.

1st No. On what ¼ Sec are your improvements?
2nd do. When were your improvements effected?
3rd do. Nature and present cash value of said improvements?
4th do. What will it cost to remove your buildings?
5th do. If the buildings are of logs where was the material obtained?
6th do. No of Cattle you have at present and where are they grazing?

I have the honor to be
Sir
Your obedient Servant
(Sd) W. Pearce
Supt.

W. F. & F. Breckin
Ranchmen
Lacombe
via Morley Alberta.

Not having received any reply to this, and about one week since learning that W. F. Breckin was in Calgary I sent him word to call on me, which however he failed to do. I therefore resolved on visiting the ground, and on Monday the 21st inst I did so. where I met Mr F. Breckin who informed me that they had received my letter, but have not replied, that at present they did not have the means of the improvements [illegible] they did not consider it necessary to [illegible] as they were over on the ground 6 months

2 cattle

J. R. Hall Esq
Asst Dep. of Interior
Ottawa
Ont

2 colts and ... or 15 head of Cattle. Mr. T. Burdine has taken 30 head of cattle to Edmonton, and several horses expecting to ... Mine, which parties obtain this certificate

During last Winter they kept 38 or 40 horses and this Spring brought from Winnipeg 45 head of cattle which were unshipped at Calgary and driven up to this point.

All the buildings and improvements are as follows.

One house erected in Nov 1885 on bank of Bow River South of Radnor Station, and which house will probably be on the S½ 4 18-26-5 W 5th Size 12'x18', walls 7ft high log. Jowl and tent roof. Have 1 door 1 window of 4 panes each 11" x 14". The lumber in floor & door cost $4.50 each & glass $3.00 erection possibly $15.00 total $22.50

About the 5th of May 1886 they erected about 1 mile S.E from Radnor a corral, about 30 yds diameter 6 logs high, poplar, logs obtained in close proximity to corral. Two men for 4 days during cut logs and erecting corral. $20.00 would be full value for it. Have 3/4 ac broken fenced & cropped, until probably $20.00

Total value of improvements about $80.00, which differs very materially from statement contained in letter of the 17th inst.

All of which is respectfully submitted

I have the honor to be

Sir

Your obedient Servant

J. W. Peace

Supt.

1114

1139

Calgary June 22d 6

Sir

I have the honor to enclose herewith Copy of letter received this date from the Dept. relative to your obtaining a Permit to cut timber on Otter Tail Creek. B.C.

Mr. Higginson. C. J. A. has been instructed in accordance therewith.

I have the honor to be
Sir
Your Obd't Servant
Wm Pearce
Capt
Mtd Force.

Archibald Wright Esq.
Winnipeg
Man

Summo

1139

Detroit Jan 22 1

Dear Sir

I have the honor to enclose herewith
Copy of letter received this date from the
Dept relative to your petitioning a Court
to sell lots in the Ottawa Reserve &c.
Mr Chingwauk. Ind. has been notified
in accordance therewith.

I have the honor to be
Sir
Your Obt Servt
Wm Spragge
Supt
Ind Affrs.

Wm Plummer Esq
Manitowaning
Manl

1115

1140

Calgary 24th June 1886

Sir

I have the honor to acknowledge the receipt of yours of the 20th inst. requesting that Sub-poenas issue to compel the attendance of certain witnesses in your favour.

In reply I may state that the investigation which will take place shortly I will if necessary issue the required subpoenas.

I have the honor to be

Sir

Your obedient Servant

Wm Scarth

Supt

David Keefe Esq.
Banff P.O.
C. P. Ry. West.

1130

1116

1141

Calgary 24th June 1886

Sir.

I have the honor to acknowledge the receipt of yours of the 16th inst- No. 17571 Ry. No. 8431. enclosing certain Winship maps asked for in mine of the 28th ult.

In addition to Tp 10 R 27 W 4th which you state could not be sent till resurveyed I find the following have not been sent.

| | | |
|---|---|---|
| Tp | 12. | R 11 W 4th |
| " | 12 | " 12 " " |
| " | 11 | " 13 " " |
| " | 7 | " 22 " " |
| " | 8 | " 26 W 4th |
| " | 22 | " 27 W 4th |
| " | 12 & 13 | " 29 " " |
| " | 12 & 13 | " 30 " " |

This possibly may not be wanted if so send back list of Tps outlined East of St. Mary's River.

In all.

Please forward the omitted ones as soon as possible.

I have the honor to be

Sir

Your obedient Servant

W. Pearce

Supt.

The Secretary.
Dept of Interior
Ottawa
Ont

1141

Delphi 24 Juin 1882

Ici.

Je viens de faire une excursion très-
intéressante à Arachova et au Parnasse. Je
suis parti à 5 h. du matin et je suis
arrivé à 8 h. 30. Je suis resté environ
deux heures à Arachova et je suis
revenu à Delphi à 2 h. 30.

Je continue à me porter très bien et
je suis très-content que vous le soyez
aussi. Mon séjour ici me plaît
beaucoup.

Je vous embrasse tous bien fort.

Votre dévoué fils
Albert Dumont

Mon cher Ernest,

Je te remercie de ta lettre
et je t'embrasse bien fort.

Ton frère
Albert

1117

1142

Calgary 24th June 1882

Sir

I have the honor to acknowledge the receipt of yours of the 7th inst inclosing an affidavit from Mr Howard T Jamieson concerning the entry by one Noel to the E/2 36-8-22 W 4th

If anything further should be wanted the agent Lethbridge will be instructed to obtain the same from you

I have the honor to be

Sir

Your obedient Servant

W. Pearce

Supt

C. C. Magrath Esq

Land Com. N. W. C & R. Co

Lethbridge

Alberta

288

1142

1118

Calgary 24th June 188

1143

Sir

In further reference to Roll's case
No 2½ 36-8-22 W 4th I have the honor
to enclose herewith a letter from C. A.
Magrath Land Comr of the N.W.C & R. C.
also an affidavit from Howard &
Greenwood of Lethbridge concerning the
same.

Would you please have copies of
these made and forwarded to Agent
Lethbridge. If anything more should be
required he will be able to furnish it.

I have the honor to

Sir

Your obedient Servant

W. Pearce

Insp

W. H. Smith Esq
Comr Dom Lands
Winnipeg
Man

1173

1118

283

1119

1144

Calgary 25th June 188

Sir

I have the honor to enclose herewith certain letters from Mr L. Alexander of Lethbridge, applying for permits to cut hay on certain Prov. Lands.

You will take care not to issue permits, or lands not controlled by the Prov. Govt, that is lands granted to N.W.C.&Th.Co., C.P.R. or others.

I have informed Mr. Alexander that this application had been referred to you to deal with.

I have the honor to be

Sir

Your obedient Servant

Wm Pearce

Supt.

The Agent Dom Lands
Lethbridge
Alberta

290

1119

1114

1120

1145

Calgary 24 June 6

I enclose herewith copy of correspondence rec'd from Head office relative to granting a permit to Mr A Longo of Winnipeg to cut timber on the Otter Tail Creek B.C.

You will be pleased to act in accordance with the instructions contained therein.

J. D. Higginson Esq
Asst Timber Agent
New Westminster
B.C.

W. Pearce
Supt

201

1175

1145

Leipzig 24 Juni 6

---

---

Ich bitte Heinrich Sohn of Conrad
Producer Co. of Iron Street Office wher
to procure a Permit to buy a Coal
Steamer and let them on the Otter
Tail River &c.

Yours very Respectfully
Conrad Sohn.

Hr. Heinrich Sohn
Dem Minister
Des Innern
Berlin

1121

1146

On Oct 11th 1884 I received certain papers regarding claims to the S.W. ¼ and asked request copies of all papers therein be sent me, particularly that of Duncan Robertson and Riley. The latter called on me today in reference to his claim, hence I want papers before making a recommendation in this case.

I have the honor to be

Sir

Your obedient Servant

J. Pearce

Supt

J. D. Smith Esq

Com^r Dom Lands

Winnipeg

292

1171

1146

1122

1147

Calgary 25th June 1886

Sir

I have the honor to ack the receipt of yours of the 16th applying for permits to cut hay on certain Sec 2 lands and in reply to state I have forwarded your letter to the Agent at Lethbridge who will attend to this for you

I regret not seeing you when at Lethbridge but hope to again visit that point before long.

Very truly yours

J. M. Pearce.

Lorenzo Alexander Esq
Lethbridge
Alberta

293

1147

1147

1123

Calgary 26th June 1886

1148

Sir

In reference to the claim of one Robert Collingham to H & P. portions of Sec 36 & 25-12-28 W4th which is included in Calgary Office file 1247 enclosed herewith. I have the honor to state that during my recent visit to Ft. Macleod I was informed that Mr C. Stimples. of Ft Macleod P.O. was manager of the Winder lease on which this claim is situated. Mr Collingham whom I met at Ft. Macleod informed me that he felt certain Mr Stimples would on request grant him the necessary permission You will therefore please write him for necessary permission, which if granted you may accept H to Collingham for S W 1/4 36. as to a P. you may grant only to the S E 1/4 36. not to N W 1/4 of either 36 or 25 as he requests, as by so doing you grant one man the monopoly of both banks of a stream for one mile, which is if possible to be avoided. It may be that on investigation there may be no objections in granting what he requests; but until this matter is investigated it would be advisable not to do so

Please advise me of result of request of Mr Stimples. and particularly direct his attention to the fact of Collingham wishing to obtain control of both banks of Willow Creek for one mile, and if his interests would not be sufficiently protected if H & P entry were granted to S 1/2 Sec 36

I have the honor to be
Sir
Your obedient Servant
W. Pearce
Supt

Please send copy of this letter to Com on Winnipeg

The Agent Dom Lands
Lethbridge
Alberta

294

1173

1148

Bedford 25th June 1881

de

Enclosed please find cheque for £ 31 x 2 x 2 = 15-28 x 2 = £30-56 x 2 = £61-12
being amount in Bedford Office for 1st half year's rent. Please send receipt
to Bedford. Yours truly

Mr. Thos. Wm. Hunt

Mr. Thos. Wm. Hunt
Solicitor
Bedford

1124

1149

Calgary 25th June 1886

Sir

I have the honor to enclose herewith Calgary Office file No. 1248. and to instruct you to notify Mr Thomas Nicol the portion claimed may be sold him at $1 25 per ac. but patent will not issue till he has put in 3 years residence thereon. His improvements are of such a nature as to warrant his bona fides.

Sec 14-9-24 W 4th you will please enter in your Ry register as reserved for the present for Stock watering purposes and notify all inquirers accordingly.

You will please send copy of this letter to Crown Lands and when entry is cancelled let them have the file or copy thereof sent H.O. as authority for granting entry. It might perhaps in these cases be advisable to send original to H.O. & retain copy in your Office for reference

I have the honor to be
Sir
Your obedient Servant.

Wm Pearce
Supt

The Agent Dom Lands
Lethbridge
Alberta

1149*

Bedford 27. Juni 1866

Lieber

Ich kann mir denken, daß unsere Annäherung Dir nicht angenehm ist, und daß Du Dich nicht entschließen kannst, mir Deine Hand zu reichen. Ich habe mich auch nicht entschließen können, Dir zu schreiben, weil ich nicht wußte, was ich Dir sagen sollte. Ich habe Dir nichts zu sagen, was Dich interessiren könnte, als daß ich Dich liebe, und daß ich Dich nicht vergessen kann. Ich habe mich nicht entschließen können, Dir zu schreiben, weil ich nicht wußte, was ich Dir sagen sollte. Ich habe Dir nichts zu sagen, was Dich interessiren könnte, als daß ich Dich liebe, und daß ich Dich nicht vergessen kann.

Ich habe Dir nichts zu sagen, was Dich interessiren könnte, als daß ich Dich liebe, und daß ich Dich nicht vergessen kann. Ich habe mich nicht entschließen können, Dir zu schreiben, weil ich nicht wußte, was ich Dir sagen sollte. Ich habe Dir nichts zu sagen, was Dich interessiren könnte, als daß ich Dich liebe, und daß ich Dich nicht vergessen kann.

Dein treuer
Ludwig

Ich habe Dir nichts zu sagen, was Dich interessiren könnte, als daß ich Dich liebe, und daß ich Dich nicht vergessen kann.

293
1124

1125

1150

Calgary 26th June 1886

Sir

I have the honor to enclose herewith Calgary Office file No 1292. having reference to claim by James Daley and William Whitney the former to H the N½ 30-10-27 W4th the latter the SE¼ of same Sec.

As would appear from Daley's evidence this claim was taken up subsequent to issue of lease to Oxley Ranche Co. you will please obtain the consent of H. Stanley Pinhorn to granting entry to Daley to same ½ Sec as H & P. a H entry cannot be accepted Whitney to the SE¼.

If Daley can show by evidence that Mr Craig, who was manager of the Oxley Ranche Co at time he & his predecessor Bostwick settled on this was willing that either Bostwick or himself should so settle you would be justified in according entry. It would however be advisable to ascertain Mr Pinhorn's views in the matter. If he be agreeable to according entry will approve. if not then notify Daley as to what is required.

You will find the Wm Whitney alluded to living in Lethbridge. the Superintendent of Mounted Police.

Please send copy of this Com^r Hpy. and when entry is accepted, send original to H.O. as authority for action, retaining a copy in your Office for reference

I have the honor to be
Sir
Your obedient Servant

J. Lauder
Supt.

The Agent Dom Lands
Lethbridge
Alberta

1150

Bedford 22 June 1880

Dear Sir

I am in receipt of your favour of the 21st inst. and in reply to your request for information I beg to say that the Bedford Park Estate Co. have no power to grant leases for any term exceeding 21 years.

Yours faithfully

Thos. Mc. Swan

Secretary

Messrs. Hewett & Co.

Solicitors

Bedford

296

1126

1151

Calgary 26th June 18

Sir

I have the honour to enclose herewith Calgary Office file No 105-3 being an application by one Ernest Savory for H.P. the N½ 20-9-23 W

Your books will I think show that in granting entry to H.W. Savory for the N½ 2[illegible] in the same township a portion of the S.W. of the South West ¼ of this Sec. was reserved for stock access to the Belly River at this point. You will further mark in your Ry that all of Frac Sec 21 & the SE¼ 20 is thus being reserved for Stock Watering purposes. This being done you may issue Ernest Savory entry as he requests, excepting the following to be reserved from out the NE¼ of said Sec 20.

Grant as H all the NE¼ 20-9-23 excepting thereout all that portion of said ¼ described as follows that is to say.

Commencing at the N E angle of said (600) Thence South six chains. Thence on a course N (8.49) eight chains and forty nine links more or less to the N by limit of said ¼ Sec. Thence East (6.00) six chains to the place of beginning, the area thus reserved being (1.8) one acre and eight tenths an acre. The total area of the ¼ Sec & the H the N½ will be 142.2

This is on license No 68. granted to one A[illegible] but the 3 years have expired and I understand as she Calgary on some, and from list furnished Customs Collector, would to be in arrears of rent. Before granting entry however you may letter forward H.O. a copy of this and request instructions this case.

Please also send copy of this to Com^r Wpg. a when entry is effected and original file to H.O. retaining copy in your office for reference

I have the honour to be
Sir
Your obedient Servant
J. W. Pearce
Insp

The Agent Dom Lands
Lethbridge
Alberta

297

1151

1151

1127

1152

Calgary 30th June 1886

Sir

I have the honor to enclose herewith certain papers received in reference to claim of Joseph Williams to quarry lots at Selkirk Man. Ft. No. 8444/727. which please have attached to file in this matter which is in your Office.

The only thing to be attended to at present is the trespass matter alluded to which should be done by pursuing by the Mounted Police through one of the Force Rangers attached to this Office

Please notify H. O. that this has been forwarded your Office and of the action taken.

I have the honor to be
Sir
Your obedient Servant

W. Deane
Supt.

Ft Hope Ont
Selkirk
Winnipeg
Man

1153

Delft 30 Juni 1884

Hr.

Door Uw Heer Broeder Antoni-
nus ben ik verzocht te willen
zenden de Rekening van
Wijlen Zijne Hoogwaarde
Heer Pastoor Schuit
zaliger.

Ik zal Uw Eerw. dankbaar
zijn indien Uw Eerw. mij
deze zoude willen doen
toekomen.

Met de meeste Hoogachting
Uw Eerw. Dienstwillige
Dienaar
J. Schuit
Pastoor

Aan Zijne Eerw.
Heer Broeder
Nonnatus
Superior
Weert

298

1128

1153

Calgary 30th June 1886

My dear Thomson

Yours of the 13th to hand. As I understand the Land Act from your statement I would infer you would require to put in six months more residence on your homestead between this date and Sept. 1887.; but that is a matter which comes wholly within the jurisdiction of the Comr to whom I have referred your letter asking him to advise you, and suggesting an inspection of your H. by one of the H. Inspectors. Since the question of rights in reference to residence accorded to officers engaged in suppressing the late Indian and Half Breed outbreak arose, I have had personally nothing to do with approving applications for patent and therefore am not familiar with rights accorded them, which being governed wholly by an act of Parliament no latitude is permitted the officials in passing or rejecting such applications, but must be governed strictly by acts.

As to your rights to scrip, that matter

D. J. Thomson Esq.
Wood Mt Post.
North West Mt. Police
Alberta

299

1128

1153

Calgary 30th June 1886

My dear Herchmer

Yours of the 13th to hand. As I understand the Land Act from your Statement I would infer you would require to put in five months more residence on your homestead between this date and Sept. 1887; but that is a matter which comes wholly within the jurisdiction of the Comr. to whom I have referred your letter asking him to advise you, and suggesting an inspection of your H. by one of the H. Inspectors. Since the question of right to in reference to residence accorded to our officers engaged in administering the title matters and Half Breed rights and have had practically nothing to do with approving applications for patent and therefore am not familiar with rights accorded them, which being governed wholly by an act of Parliament no latitude is permitted the officials in forming or refusing such applications; but must be governed strictly by said acts.

As to your right to scrip, that

Indeed

D. J. Herchmer Esq.
Wood Mt. Post.
North-West M. Policé
~~Regina~~
Commissioner

1153

1153

matter has also been referred to the Com^rs; but I would suggest you write to Mr Barwick or to the Dep^t at Ottawa for copies of said acts, from which you will yourself learn what rights Mennonites may possess.

Yes I am married and the father of two daughters who are flourishing

I am very busy now for please excuse brevity - and if there are any other steps I can take to assist you in this let me know and I shall be most happy to do so

Very truly yours

W. Pearce

Supt

1154

1129

Calgary 30th June 1886

Sir

I have the honor to enclose herewith a letter which I have rec'd from Lt. D.T. Thomson of Wood Mts Post in reference to his claim to W½ 2-19-11 W 2nd also copy of my reply which indicates all the action I can advise can be taken in this matter.

You will please advise him as far as possible on the points raised in his communication.

He is an old acquaintance of mine, and a great friend, as was of Fred Barwick Esq of Toronto. Barwick and I would esteem as a favour anything that can be done for him consistent with the Departmental requirements

I have the honor to be
Sir
your obedient Servant

Wm Deane
Capt

W. A. Smith Esq
Land Agent Dominion Lands
Winnipeg
Man

1154

Belgrad 30 Juni 1854

Ihrer Hochwohlgeboren

Herrn Professor Dr.

Wien

Hochgeehrter Herr Professor!

Ich bin so glücklich, Ihnen mitteilen zu können, daß mein Sohn Ferdinand Ihre Vorlesungen über Geburtshilfe besucht hat und sich Ihrer Leitung für seine Prüfung anempfiehlt.

Ich bin so frei, Ihnen beiliegend 25 Dukaten für die Prüfungstaxe zu übersenden.

Mit vorzüglicher Hochachtung

Ihr

ergebenster Diener

Dr. Ferdinand Mayer

301

1130

1155

Right-Rate.

Calgary 30th June 6.

A. M. Burgess, Ottawa.

Pinches Creek and other Settlers anticipate claims by quarter sections or fractional portions thereof. Suggest west fifth and along Belly River a traverse similar to Fairbetts on the Bow River be made laying off Sections or quarters claimed showing position of all improvements also position of all living streams embraced in survey so that are of quarter Sections on each side of Stream can be calculated claims as to such should not conflict be granted covering both banks, Calhoun.

W. Pearce

Right Rate. 1131

1156

Calgary 1st July 6

R. A. Ryley, Dept of Interior Ottawa.

Campbell and Harkness urgent answer application lease Waterton Lakes twenty-seven Town West fifth time limited report about ... duty Pearce.

1155

1130

1156

1131

1132

1157

Calgary 3rd July 1886

Sir

One Albert J. Whitney who has a claim to Sec. 33-9-23 W 4th called on me today in reference to the same and the understanding arrived at was that this claim should remain in abeyance till next Autumn when I hope to be able to take up and report on all the points throughout the grazing district which should be reserved for water and other for stock.

You will therefore please not grant entry to the land in question until further advise

Please have a copy of this made and forwarded the Commrs Office Winnipeg for record thro

I have the honor to be

Sir

Your obedient Servant

J. S. Dennis
Supt

The Asst Dom. Lands
Lethbridge
Alberta

303

1137

1157

Belgrad 3te July 1884

Sir

Mr Collet J. Mackenzie who was a
claim to Lec. 33-9-23 W.P.I. called on
me yesterday & where he has been over
the ground with the Mine Surveyor
& his claim & found same to be
correct & that the Mine Surveyor
is about to report to the Department
that he has found that there
is no interference with the Lec
claim.

Yours truly
[illegible]

I am Sir your
obt
Servt
[illegible]

Mr
Secretary
Mines
Department
Melbourne

1133

1158

Calgary 3rd July 1886

Sir

I have the honor to acknowledge the receipt of yours of the 27th & 30th ult bearing reference to hay permits.

I interpret the regulations in Mr Alexander's case to require he should pay $4.00 per ton for the hay. it being required for speculative purposes. Whatever amount he may require for his own stock he is entitled to secure at 10cts per ton.

Outside of the C.P.Ry belt and the portions granted to the N.W.C.&I.Co permits may be issued on odd or even Secs.

The area requested by Mr Alexander would appear very large, but it may be that hay is very scarce, and on his making an affidavit that the territory applied for does not cover more hay than required for cattle I think grant the same. Or give him distinctly to understand that other permits may on application be granted over the same territory.

I have not a copy of Mr Alexander's letter with me but I think it will be found to cover land largely in Tps not yet subdivided, and it would be well if he could designate the Sec or ¼ Sec on which he desires to cut so that permits might be granted on the balance. The Tp outlines being established he may be able to readily so designate them, but in many cases he may not be able to do so.

You will please send a copy of this to the Comr of Dom. Lands so that if there is anything therein not compatable with the regulations it may be corrected.

I have the honor to be

Sir

your obedient Servant

J. Lauder

Supt

Agent Dom. Lands
Lethbridge
Alberta.

304

1133

1158

Bridgeport 3rd July 1886

Dear Sir

I have this morning received Yours of the 27th ult. and in reply beg to say that I am willing to accept the Agency for the sale of your Patent Fuel on the terms stated in your letter.

I understand that the Corporation of Bridgeport require the Agents to give a Bond for the due performance of their duties. I am willing to enter into such Bond for the sum of £500 and to pay the Premium required by the Guarantee Company.

I have not a copy of the Corporation Bye-laws by me but I think it will be found that no Steam Engine or Boiler can be used within the City limits without a Certificate from the Inspector appointed by the Corporation. I am not aware that any Certificate is required for the use of Gas Engines.

I have not the time to write you more fully at present but I think it will be found that the Fuel will be a success.

Yours truly

[illegible]

1134

1159

Calgary 5th July 1886.

Sir

I have the honor to acknowledge the receipt of yours of the 28th ult. stating you claimed for Homestead and Pre-emption the S E ¼ 32 & S W ¼ 33 in Tp 6 – 2 W 5th and had been informed that one A. M. Jarvis had preferred a claim to same.

The object of my visit to Pincher Creek was to obtain as far as possible the location of the various squatters on unsurveyed land in that vicinity and in my report thereon I find the following.

"No 58. About ½ mile above Eddie is claim of Blair & Jarvis, the former has lived there upwards of three years. The latter is in the Mounted Police force. The claim is said to be jointly on Sec 32 & 33 – 6 – 2 W 5th just at the mouth of the Kootenay or Elk Pass. Claim to have $3000.00 worth of improvements."

I hope that during this summer and Autumn the necessary Surveys will be made and as soon as the plans are completed no time will be lost in taking the necessary steps to grand entry at which time you should file evidence to show the claim in question is wholly yours

I have the honor to be

Sir

Your obedient Servant

J. Wm Pearce

Capt.

Daniel A. Blair Esq
Pincher Creek P. O.
Alberta.

Sir
H. Macleod.

305

1134

1159

Bologna 3 Juin 1876.

Mr

J'ai reçu votre lettre du 28 mai. Relativement aux échantillons que j'ai soumis à votre examen, je vous dirai que j'ai fait 3 échantillons différents, dont deux sont semblables et le troisième est différent. Je vous prie de me dire lequel vous désirez.

Quant à la quantité, je pense que 1 à 2 kilos suffiront pour faire les essais nécessaires.

Je vous prie de me faire connaître le plus tôt possible votre décision à ce sujet, afin que je puisse prendre mes dispositions en conséquence.

Veuillez agréer, Monsieur, l'assurance de ma parfaite considération.

Signé: Pietro Barbieri

Monsieur A. Thomas Esq
Standard Bank S.A.
Cape Town.

1135

1160

Calgary 5th July 1886.

Sir

I have the honor to acknowledge the receipt of yours of the 28th Inst (probably meant 28th June) stating you had been refused by Mr Pinkerton Manager of the Oxley Ranche Co to settle on Sec 6—10—27 W 4th

In reply I have to state that the land in question was leased to the Oxley Ranche Co in 1882, and if you prior to the date of said lease settled thereon and since then have complied with the homestead requirements of the Dom Lands Act you cannot be disturbed in your possession.

I have the honor to be

Sir

Your obedient Servant

Wm Pearce

Supt

W. M. Munro Esq.
Ft. Macleod P.O.
Alberta

306

11 35

1160

Belgrave 5th July 1886.

Sir

I have the honor to acknowledge the receipt of your letter of 28th June (yesterday morning) stating you have been requested by Parliament Secretary of the Colony Rhodesia to obtain me the Order [illegible]

In reply I have to state that the time in question was during the Order Rhodesia 1882, since I was then in the field of basic beer bottles Messrs Dunn Brain & Co Ltd Manchester by the Rhodesia Transvaal Co Ltd Cape Town

I have the honor to be

Sir

Your obedient Servant

[signature]

[illegible]

H. M. Murray Esq
Sec. Rhodesia Co.
Salisbury

1136

1161

Calgary 5th July 1886

Sir

I have the honor to acknowledge the receipt of yours of the 23rd ult enclosing copy of a letter from P. Albert Dom Lands Agent dated 29th May having reference to the claim of Alexis Brunnet to a portion of Sec. 5 - 45 - 27 W 2nd M. and in reply to state he Brunnet was allotted just what he requested, and therefore there is no reason why he should object to the award of the Land Board. He now states his house is within 20 chains of the W'ly limit of said Sec 5 and asks that the W/2 L. S. 2, 7, 10 & 15 & E/2 of L. S. 3, 6, 11 & 14 of said Sec 5 be granted him. As the W'ly limit of the portion now asked for is 30 chs East of the W'ly limit of Sec 5. there evidently is some mistake. He probably now owns the W/2 of L. S. 3. 6. 11 & 14 & E/2 of L. S. 4. 5, 12 & 13 of said Sec.

Provided this letter does not interfere with the claim of the R. C. Church, or if the corporation consent to entry being granted Brunnet. I see no objection to the same being done; but would suggest he be cautioned to ascertain definitely what he wants before making entry.

I have the honor to be
Sir
your obedient Servant

Wm Pearce
Supt.

The Com'r Dom Lands
Winnipeg
Man

307

1135

1161

Calgary 5th July 1886

Dear Sir

I have the honour to acknowledge the receipt of yours of the 28th ult. enclosing copy of a letter from P. Gilbert Esqre. Deputy Minister of Interior forwarding returns of the Census of Manitoba & North West Territories & also in reply to your letter of the 30th ult. I beg to say that the returns were altered just before the enumerators commenced their work, and that it was necessary to change the boundaries of the Electoral Districts. The town of Calgary is now entitled to 2 members in the House of Commons, and the Electoral District of Alberta to 3 members. The Electoral District of Calgary comprises all that portion of the North West Territories lying between the 5th & 8th ranges West of the 4th Meridian, and between the North Saskatchewan River & the 51st parallel of North Latitude. The Electoral District of Alberta comprises all that portion of the North West Territories lying between the 4th & 5th ranges West of the 4th Meridian, and between the North Saskatchewan River & the 51st parallel of North Latitude.

I have the honour to be

Sir

Your obedient Servant

[signature illegible]

Clerk &c

The Hon. The Minister of Interior

Ottawa

1162

unofficial

1137

Calgary 5th July 1886

My dear White,

I had a talk with Senator Cochrane on Saturday, and again this afternoon and he has agreed to submit a proposition to the directors of the B. A. Ranche Coy. to relinquish in your favor all of the E 1/2 25 - 5 W 5th and the S.E. tier of Secs in E 1/2 Tp 26 - 5 W 5th on the payment to them of the back rent on the same. This with the W 1/2 25 - 5 W 5th and that portion of the W 1/2 of 26 - 5 W 5th lying South of Bow River will I think give you all the territory you require and a very eligible one indeed. giving you the slope of the hill you so much wish, plenty of water in streams that can be utilized for sheep winter watering. You will be able to build on your lease and at the same time be close to the mines, Cochrane Stn C. P. Ry. the head quarters of the Cochrane Ranche both horse and Sheep branch.

The Senator at first seemed very adverse to resigning any portion of his lease stating it was the intention of the Co to put on this year about 1000 mares and colts, in addition to what they already had, that this was a portion on which they found very little encroachment from settlers. He stated however that so long as you kept your buildings from off their lease he might promise you could graze your sheep thereon. If you do not require all that he has resigned you might take the

Francis White Esq.
Morley - Alberta

Westerly

308

1137

1162

Unofficial

Calgary 5th July 1886

My dear White,

I had a talk with Senator Cochrane on Saturday, and again this after-noon and he has agreed to submit a proposition to the directors of the B.A. Ranche Coy. to relinquish in your favor all of the E/2 22 & 23 W5th and the portion of Sec. in E/2 Tp 26 - 5 W5th on the payment to them of the back rent on the same. This with the W/2 22 - 5 W5th and that portion of the W/2 of 26 - 5 W5th lying South of Bow River will I think give you all the territory you require and a very eligible one indeed - giving you the slope of the hill you so much wish, plenty of water in streams that can be utilized for a deep water watering. You will be able to build on your lease and at the same time be close to the mission, Cochrane Stn C.P. Ry. the head quarters of the Cochrane Ranche both horse and sheep branch.

The Senator at first seemed very adverse to resigning any portion of his lease stating it was the intention of the Co to put on this year about 1000 mares and colts, in addition to what they already had, that this was a portion on which they found very little encroachment from settlers. He stated however that so long as you kept your buildings far off their lease he might promise you could graze your sheep thereon. If you do not require all that he has resigned you might take the

Thomas White Esq.
Morley - Alberta

[illegible]

1162

Westerly tier or two tiers of Sec$^{s}$. I asked him if he would divide the other way leaving him a portion of the S$^{ly}$ limit of Tp. 25 – 5 W 5$^{th}$ but he demurred on the ground that it did not leave the remaining portion as compact as he wished.

The only ground on which I anticipate you can object if you obtain what you likely will will be the back rental; but if you are paid for your back rental on the present lease you cannot object to do the same on this, particularly as by doing so you will be able to obtain a lease at 1$^{st}$ price not 2$^{nd}$ as called for by present regulations, you will thus soon save the difference.

Before closing I would direct your attention to the 1$^{st}$ and 2$^{nd}$ clauses of your lease and without expressing an opinion I would ask you if you do not think from what I have explained to you of action taken by the Minister towards recognition of the Settlers claims at Morley if any part of that now embraced within the settlement could be termed unoccupied Dominion Lands at date of execution of your lease not date of O. in C. or application for lease. Certainly what is known as the orphanage claim could not. and you also know that settlers were here and had the range fairly well stocked. Further before your buildings had very considerably advanced the Rev. John McDougall filed a protest against their erection and David McDougall stated to me you were told by him before you commenced your buildings that you were on the Orphanage claim – one of the chief objects of leasing is to stock the country not for the purpose of obtaining rental. I think it advisable that you should be aware of all that is contended and bear it in mind in

1162

in

1162

in fixing the price you ask should be paid you for removal. In making my recommendation to the Govt. it will be my duty to report this in all its phases and take everything into consideration in fixing damage to be paid you. If it should be placed too high the Minister may decide you have no rights within the Morley Survey, leaving you and the Settlers to the courts to decide your rights outside thereof.

Believe me very truly Yours.

W. Pearce.

1162

310

I received the papers you have marked & hope you
will have leisure & will be pleased to peruse them
& let me have it with the least possible delay
as all the plans are kept back & my future
movements in point of time depend upon it.
If it proved to be the right one I should
wish to have no right within the
limits of the Crown & decide upon right entirely.
Believe me ever truly yours.

W. Penn.

1138

William Pearce Esq^r D. Mines

June 30^th

6

1886

| | | | | | |
|---|---|---|---|---|---|
| June | 1^st | Ferry Calgary .50 | June 2^nd Steamer Calgary to Dunmore | 2.00 | June 5^th Ferry Lethbridge 1.00 Kipp .25 |
| June | 8^th | 2 telegrams Macleod | 2.85 | | |
| " | 9 | Horse hire, & Engelbrecht's bill for Macleod as per vouchers attached | | | 69 00 |
| " | 12 | Stage from Macleod to Calgary | 15.00 | June 21^st 3 telegrams expended Calgary to Hanley | .85 |
| Telegrams Sent Calgary to Hanley 2 | | | 1.35 | | 18 20 |
| " | 22 | Messenger taking telegrams to Dist. at Hanley (6) | | reservation | 1.00 |
| June 25^th Telegrams Hanley to Dist. | | | 1.50 | | 3 00 |
| " | 26 | Fr grass Blunt bucks | 1.40 | June 27^th Stage | 2.75 |
| June 29^th Telegrams Banff | | | .25 | | 4 40 |
| " | 30 | Paid telegrams Calgary as per vouchers attached | | | 2.85 |
| | | | | | 2 85 |
| | | | | | 82 97 |

1163

82. 97.

Certified Correct.

Wm Pearce

Supt.

1163

1138

311

1168

| | | |
|---|---|---|
| ৩ | ৩ | ৩ |
| ০ | ০ | ০ |
| ০ | ০ | ০ |
| ০ | ০ | ০

312

1163

William Pearce Supt. of Mines

June 30th

6

| 1886 | | $ |
|---|---|---|
| June | 1st Ferry Calgary 50cts June 2nd Stage Calgary to Dunmore $2.00 June 5th Ferry Lethbridge $1.00 Kipp $.75 June 8th 2 telegrams Macleod $2.35 | 6 60 |
| " | 9th Horse hire in neighbourhood of Macleod as per voucher attached. | 19 00 |
| " | 12th Stage fare Macleod to Calgary $15.00 June 21st 3 telegrams repeating Calgary to Morley $.85 2 telegrams sent from Morley 1.27 | 17 12. |
| " | 21 Messenger taking telegrams to Stn. at Morley 3 occasions $1.50 June 23rd Conveyance Morley to Stn. $1.50 | 3 00 |
| " | 26 1/2 gross thumb tacks $1.40 June 27th Stage 2.75 June 29th Telegram Banff 25 | 4 40 |
| " | 30 Paid [illegible] telegrams Calgary as per voucher attached $2.85 | 2 85 |
| | | 52 97 |

Certified Correct

Wm Pearce
Supt.

313

Supt of Mines

30th June 6

1886

| | | | | | |
|---|---|---|---|---|---|
| 1886 | | | 1886 | | |
| June 30th | Balance on hand | 200 00 | June 30th | Living allowance June 1st to 30th both days inclusive at $5.00 per day | 150 00 |
| | Amount due | 2 97 | | Statement of disbursements as per statement herewith with vouchers attached | 3 2 97 |
| | | 202 97. | | | 202 97 |

1163

Calgary June 30th 6

Wm Pearce

Supt of Mines

1163

| | |
|---|---|
| | |
| | |
| | |

Dept of Mines

30th June 6

1886

| | | | | | |
|---|---|---|---|---|---|
| June 30th | Balance on hand | 200 00 | June 30th | Living allowance June 1st to 30th both days inclusive at $5.00 per day | 150 00 |
| | To Amount due | 2 97 | | Amount of disbursements as per statement herewith with vouchers attached | 52 97 |
| | | 202 97 | | | 202 97 |

Calgary June 30th 6

W. Pearce
Dept of Mines

413 4163

1163

1138

Calgary June 30th 1886

Sir

I have the honor to enclose herewith my accounts for the months ending this date. You will observe there is a balance in favor of $2.27

Kindly place to my credit at the Bank of Montreal Winnipeg say $5.00 to meet expenses.

I have the honor to be

Sir

your obedient Servant

Wm Pearce

Supt

The Sec. Dept of Interior

Ottawa

Ont

315

1138

1163

Calgary June 30th 1886

Sir

I have the honor to enclose herewith my account for the month ending this date. You will observe there is a balance due me of $2.97

Kindly place to my credit at the Bank of Montreal Winnipeg say $500.00 to meet expenses.

I have the honor to be

Sir

Your obedient servant

Wm. Pearce

Supt.

The Sec. Dept. of Interior
[illegible]
Ott.

1139

1181

1164

Calgary 6th July 1886.

Sir.

The Hon Senator Cochrane requested me to obtain for him copies of all Dft maps which have been surveyed under his Mill & B.A. Ranche Co Lease.

They are Dps. 24. 25 & 26. Rgs 2. 3 & 4 west of 5th 9 townships in all.

He wished them sent to his address in Montreal.

I have the honor to be.

Sir

Your obedient Servant

J. Lea Lease
Supt

J. K. Hall Esq
Sec. Dept of Interior
Ottawa
Ont

1140

1165

Calgary 6th July 1888.

Dear Rutherfurd.

In the dispute affecting position of Sec. 1. 2. 11. & 12. Tp 45 - R 3rd the parties thereto being Louis Schmidt, Hayter Reed. I. J. Agnew. & Jos Ouellette. I remember having made a suggested division of the property, when in Ottawa and sent it to Mr. Clayton's room to Jenni 3 copies thereof prepared. one for H.O. one for Com.rs Office and the third for the Agent P. Albert.; but I dont recollect seeing them afterwards.

If one has not reached your Office and decision of the L. B. arrived at. Kindly have copy of this letter search and send H.O. so that there may be prepared and decision arrived at.

If decision has been arrived at Kindly advise me.

I have the honor to be

Sir

Your obedient Servant

J. Lawe

Supt.

R. A. Rutherfurd Esq
Office Com.r Dom Lands
Winnipeg
Man

1165

0411

Berlin, den 15. Juli 15.

An das Auswärtige Amt.

Ich bin ersucht worden, Ihnen folgendes mitzuteilen:

Der Kaiserliche Gesandte in Bern hat unter dem 13. d. M. berichtet, daß ihm der Bundesrat eine Note des Inhalts überreicht habe, daß die Schweiz sich gezwungen sehe, ihre Neutralität gegen jeden Angriff zu verteidigen. Sie habe deshalb Befehl gegeben, die Grenze gegen Deutschland zu besetzen. Sie wolle aber nicht als Feind betrachtet werden und hoffe, daß Deutschland ihre Neutralität achten werde.

Der Gesandte hat hierauf erwidert, daß Deutschland die Neutralität der Schweiz achten werde, solange sie nicht von Frankreich verletzt werde. Deutschland habe keine Veranlassung, gegen die Schweiz vorzugehen.

Der Gesandte hat ferner erklärt, daß Deutschland nicht beabsichtige, Truppen durch die Schweiz zu befördern.

Im Auftrage:

gez. [illegible]

Für die Richtigkeit der Abschrift:

[illegible]

1141

Unofficial

Calgary 5 July 1886

My dear White,

I had a talk with Senator Cochrane on Saturday and again this afternoon and he has agreed to submit a proposition to the directors of the B.C. Ranche Co to relinquish in your favor all of the E½ 25 - 5 W5th and the S.E. tier of Secs. in E½ Tp 26 - 5 W5th on the payment to them of the back rent of the back rent on the same. This with the W½ 25 - 5 W5th and that portion of the W½ of 26 - 5 W5th lying South of Bow River will I think give you all the territory you require and a very eligible one indeed, giving you the slope of the hill you so much wish, plenty of water in streams that can be utilized for sheep winter watering. You will be able to build on your lease and at the same time be close to the mines, Cochrane Stn. C.P.Ry. the head quarters of the Cochrane Ranch both horse and sheep branch.

The Senator at first seemed very adverse to resigning any portion of his lease stating it was the intention of the Co. to put on this year about 1000 mares and colts in addition to what they already had, that this was a portion on which they feared very little encroachment from Settlers. He stated however that so long as you kept your buildings from off their lease he might promise you could graze your sheep thereon. If you do not require all that he has resigned you might take the Westerly tier or two tiers of Secs. I asked him if he would divide the other way leaving him a portion of the S.E. limit of Tp 25 - 5 W5th but he demurred on the ground that it did not leave the remaining portion as compact

Francis White Esq.
Moberly. Alberta

1166

318

compact as he wished.

1166 The only ground on which I anticipate
objection, if you obtain what you likely will,
be the back rental; but if you are paid for your b
rental on the present lease you cannot object to do
same on this, particularly as by doing so you w
be able to obtain a lease at 1st price not 2d as calle
by present regulations, you will thus soon save
difference.

Before closing I would direct your attend
to the 1st and 2d clauses of your lease and without
expressing an opinion I would ask you if you do n
think from what I have explained to you of actio
taken by the Minister towards recognition of the Set
claims at Morley if any part of that now embrac
within the settlement could be termed unoccupi
Dominion Lands at date of execution of your lease
not date of L. in C. or application for lease - certain
what is known as the Orphanage claim could not -
and you also know these settlers were here & had the
range fairly well stocked. Further before your
buildings had been very considerably advanced the
Rev. John McDougall filed a protest against their
erection and David McDougall states to me you were
told by him before you commenced your buildings tha
you were on the Orphanage claim - One of the chief
objects of leasing is to stock the country not for the
purpose of obtaining rental. I think it advisable
that you should be aware of all that is contended
and bear it in mind in fixing the price you ask should
be paid you for removal. In making my recommendatio
to the Govt. it will be my duty to report this in all its phases
and take everything into consideration in fixing damage
to be paid you. If it should be placed too high the
Minister may decide you have no rights within the
Morley Survey leaving you and the Settlers to the

Courts

319

1166

Cancels

1166 Courts to decide your rights outside thereof

Believe me very truly

Yours.

Wm Pearce

320

1166 Cours de dessin, appliqué aux métiers, tissage
Broderie sur carton perforé
Classe.
M^me Pierre

1142

1167

A. M. Burgess, July 20 a— 6
Deputy Minister Interior,
Ottawa, Ont.

Enquiries continuously for mining regulations. Agent requires liberal supply maps of his district, and reports on Townships west of fourth.

L. Pereira

1143

1168

Calgary 21st July 6

A. M. Burgess. Dep. Minister Interior Ottawa.

If townships five and six twenty-seven and Easterly tier sections same townships Range twenty-eight formerly in Halifax Ranche are not now leased, grant same to Cochrane Company in lieu eight twenty-six to be opened for settlement.

321

1167

1168

1169

Calgary 21st July 1886

My dear Sir

Mr. White was here this forenoon and had a conference with the Minister. The result was that he agrees to relinquish all claim to the North side of the River and moves all his Buildings and Shop. the latter will be moved at once. thus preventing any further trouble between him and the Morley Settlers on that score - He furnished a tender from Messrs McLaughlin & McDonald for said removal stating he had asked several persons to tender but this was the only one received - The Amount for removing the Building material and their Re erection in as good condition as at present in place at $929. For removal of his hay, crossing Shop to new range is placed at $200.00. The Each Amt to be paid to Cochrane will be $537.00 - Total $1667.10

He paid on Each Amt to McDonald $230.00 that amount you stated the Settlers would willingly pay. that leaves $1437.10 to be raised for Payment to White.

The way this is to be raised has been Suggested as follows

The total area of his lease is 12800 acres. Of that portion within the Morley Settlement. Exclusive of the McDougall orphanage claim, about 6500 ac outside of settlement equals about 5700 acres, you will observe the McDougall Orphanage is not counted - The Government will grant you, that is the

Rev. John McDougall.
Morley

322 1144

1169

Calgary 21st July 1886

My dear Sir

Mr White was here this forenoon and had a conference with the Premier. the result was that he agreed to relinquish all claim to the North side of the River and remove all his buildings and shops. the latter will be moved at once. thus preventing any further trouble between him and the Mission people on that side. - He furnished a tender from Messrs McLaughlin & McDonald for said removal stating he had asked several persons to tender but this was the only one received. - The amount for removing the buildings material and then re erecting in as good condition as at present in place at $929. The removal of his hay, crossing shop to new range is placed at $200.50. The back rent to be paid to Cochrane will be $537.60 - Total $1667.10

He paid on back rent to McDonald $230.00 that amount you stated the settlers would willingly pay. that leaves $1437.10 to be raised for payment to White.

The way this is to be raised has been suggested as follows

The total area of his lease is 12800 acres. of that portion within the Mission Settlement exclusive of the McDougall Orphanage claim, about 6500 ac outside of settlement square about 5700 acres, you will observe the McDougall Orphanage is not counted - The Government will grant you that is the

Rev. John McDougall.
Morley

the Mining Settlers a loan on ordinary conditions at 1 cent per acre 5100 a/c which is outside the Settlement belt out of the 6500 a/c within the Settlement belt there are probably some settlers who are eligible to make homestead entry, consequently entitled to 160 acres free, leaving in round numbers 5400 acres, which may be sold them. The minimum price at which it can be sold is $1.00 per acre money is worth at least 6%. Therefore if leased to you at 6 cents per acre it is as cheap as purchasing and at the same price the Government would under all the circumstances be justified

The difference between 6 cents and 1 cent = 5cts 5400 square $270. per annum

$1667. - $230 which is left out which you state the settlers are willing to pay leaves $1437. - 1437 ÷ 270 = 5.33. that is 5 years and 3 months interest

Therefore if you on behalf of the Mining Settlers will advance that amount this affair can be closed at once. The Minister undertakes on to that effect, and further that the land will be sold you at the expiration of 5 1/3 years at $1.00 per acre. And so soon as any one who is entitled to Homestead Patent - by reason of three years bona fide residence pays for balance of claim above the free 160 acres or any one not eligible as homesteaders pay for their lots at that price. The land lease will be reduced and a correct amount subtracted from contract. Under this scheme this transfer is settled. No outlay on behalf of the Govt is required and no injustice is done any of the Mining Settlers - It is desirable to leave the division of this amount among the Mining Settlers themselves

the Mooney Settlers a loan on ordinary conditions
at 1 cent per acre 5100 ac. which is outside the Settlement
belt out of the 6500 ac. within the Settlement belt
there are probably seven Settlers who are eligible
to make homestead entry, consequently entitled
to 160 acres per, leaving in round numbers
5400 acres. which may be sold them. The minimum
price at which it can be sold is $100 per acre
money is worth at least 6% therefore if loaned
to you at 6 cents per acre is as cheap as purchasing
and at the lowest price the Government would
under all the circumstances be justified

The difference between 6 cents and 1 cent = 5 cts
5400 Equals $270. per annum

$1667.- $230 which is each cent, which
you state the Settlers are willing to pay leaves
$1437. - 1437 ÷ 270 = 5.33. that is
5 years and 3 months interest

Therefore if you on behalf of the Mooney Settlers
will advance that amount this affair can
be closed at once. The Minister authorizes me to
that effect. and further that the land will be sold
you at the expiration of 5 1/3 years at $1.00 per
acre. and so soon as any one who is entitled to
Homestead patent. By reason of three years Residence thereon pays for Balance of Claim above
the free 160 acres or any one not eligible as home
steaders pay for their lots at that price the said
area will be deducted and a correct amount
substracted from rental. Under this scheme this
trouble is settled. No outlay on behalf of the Govt
is required and no injustice is done any of the
Mooney Settlers - It is advisable to learn the division
of this amount among the Mooney Settlers themselves

1169

Mr. White states he will require a portion of this amount by the 5th of Sept. next and the balance in probably a month later and that he is willing to accept your notes for the same.

If any responsible party will agree to remove the material and re-erect it for a less amount I have no doubt Mr. White will gladly accept the same and thereby reduce the amount required to be paid him.

Please telegraph if you on behalf of the Morley settlers accept this proposition, it is one I think cannot be demurred at by any of them.

I trust this is a happy ending of what at one time promised to be a great source of annoyance

I have the honor to be
Sir
Your Obt Servant
Wm Pearce.
Md.
Supt

1169

Dear Mrs. Clark,

Thank you for your kind invitation to dinner on Thursday next, but I am sorry to say that I shall be unable to accept it, as I have already promised to dine with Mr. Jones on that evening.

Perhaps you will allow me to call on you some other day next week, when I shall be glad to see you.

Yours truly,

Mary Smith

1145

1170

Calgary July 6th 1886

Sir

Lease No. 68. T & M. file No. 2163 held by one A. McLaren is seized and to be cancelled and the 3 years from date of granting same has or shortly will expire.

Mr. Albert J. Whitney who lives on Sec 33-9-23 W of 4th has been making inquiries from me concerning this and thinks he and some of his neighbours who live within the lease would if the same were available take it.

Kindly let me know if said lease is in and if open for application

His P. O. address is

Albert J Whitney
Ft. Kipp P.O.
Alberta.

I have the honor to be

Sir

your obedient servant

Wm Pearce
Supt

The Secretary Dept. Interior
Ottawa
Ont

1170

Heidelberg den 5. Juli 1886

Herrn Dr. Th. Hirsch
in
Mannheim

Sehr geehrter Herr!

Ihre Zuschrift vom 3-4-86 mit dem Anerbieten
Ihre Dienste mir zur Verfügung zu stellen
habe ich erhalten und bitte Sie mir
den Preis Ihrer Arbeit gefl. anzugeben.

Hochachtungsvoll
ergebenst

1146

1151

Private

Calgary 15th Aug 1886

1171

My dear Mr Burgess

On Thursday last I was down in the Commissioner's Office Winnipeg the C.P.R. & I.C. Railway settlement with the Can. Pac. Land & Credit Co. and on clause of that recites that there had been an enumeration which shows that there were within that tract of land prior to the date of this agreement.

I enclose with this copies of my report as it is possible the Joint Survey have been conducted should my friend Oliver get hold of this & in C. and it is possible he may, he would make it necessary for me to submit some explanation to make in this case it might not be very relevant. You will notice in the schedules the date of this arrival in Edmonton, date residence was begun on land within the Col. Col. tract and when the settlers came from. I did this so that there should be no difficulty in determining what number the C.P. should be credited with. I have thought it well to direct your attention to this. If it was intended to credit the Co. with the 1/2 of settlers for enclosing their points raised in my report (confidential) of May 30th 1884 there no objections to offer but it was overlooked when that it might not have been noticed. Oliver's comments on my report are that I did not furnish any proof of it, but with this material he might at least furnish the completion of details.

Very truly yours

J. S. Dennis

A. M. Burgess Esq
Dep. Min. of Interior
Ottawa

338

1147

1172

Confidential

Edmonton
May 20th 1884

Sir,

I have the honor to enclose for your perusal a letter to be forwarded the Minister a confidential report to accompany my official report on the numerations of the Settlers within the tract allotted for colonization purposes to the Edmonton Dunvegan & British Columbia Land Coy of Canada. This report may be used officially if the Minister so wishes it.

From the date of the arrival of the earliest of the settlers in Edmonton it will be seen that many of them have come to this Country since the Coy. opened their Office in July 1882.

Forty four settlers have come here since Sept 1st 1882, at which date I was informed the land was allotted to the Company.

Several are just outside the Schedule boundaries Pre-emption entries within the tract and some Homesteads in Range 26. Two have made Homestead entries within the tract and are yet living on Range 26. and claim title also to the latter through pre-emption residence thereon.

I think with reference to entries granted in odd sections, it would be well to withdraw them from the amount granted to the Coy. and not enumerate the Settlers thereon, nor in the Settlement Rept. as belonging to their operations. It may be thought advisable to declare void settlers who were there before the Coy began operations, or at least before the grant was made.

A copy of my report on the

Inspection

1172

1172

[illegible]

1172

Inspection of the Office of this Co. was forwarded you July 28th and shows what has been done by it. Please have a Copy made and forwarded with this

A Walsh Esq.
Com. Dom. Lands

I have the honor to be
Sir,
Your obedient servant
W Pearce
Sup.

Copy

1148

1172

Edmonton
August 20th /84

Sir

I have the honor to enclose for your information, and after making Copy of the same to be forwarded to be forwarded to the Minister, a Schedule showing the Settlers now located within the tract allotted to the Edmonton & Saskatchewan Land Coy. of Canada.

I was instructed to make said enumeration by H. O. letter of 30th May 1884. W. 45869.

While I was at Battleford Mr. Macaulay made the enumeration and scheduled them, and these give all the information that can be obtained or may be desired. It is I think very reliable.

There is one point to which it may be well to direct your attention that is the numbering is not Consecutive, which is owing to the enumeration of settlers also in Tp. 55. Rgs. 23 & 24, for which this Coy. has applied. They were all scheduled together and on the two latter Townships a separate Report will be made.

Township 56 & 57 have no settlers therein and Mr. Simpson the Genl. Manager of the Coy informs me that the Company have relinquished their Claim thereto & asked for Tp. 55 Ranges 23 & 24 in lieu thereof.

There are 124 in the four Townships, of these probably 3 have left the Country: 25 have no entry yet given, but about 15 of them will receive entry. which will make about 115 settlers within the tract.

That number will eventually prove to be I think within one or two either way of the correct number.

J.

329

1172

8411

Gelesen

Hannover

Hannover 30. 1/11

An

Ihrem Wunsche zu entsprechen, beehre ich mich, Ihnen anliegend die Photographie des Herrn Dr. Schaumann, welche Sie mir gütigst zur Verfügung gestellt haben, mit verbindlichem Dank zurückzusenden.

Ihre ergebenste

Adolf Lohse

Hannover, Hohenzollernstr. 4 II.

Hannover 30. 1/11 84

An

Ihrem Wunsche zu entsprechen, beehre ich mich, anliegend die Photographie des Herrn Dr. Schaumann, welche Sie mir gütigst zur Verfügung gestellt haben, mit verbindlichem Dank zurückzusenden.

Ihre ergebenste

Adolf Lohse

1172

Monsieur Jean Bonnardière avec deux vues
réservées pour votre Personne

Le Président
Conf. Inter. Paris
Bonnardière

Mr. Jean Bonnardière
Ingénieur-Conseil
Membre de la Conférence
Internationale
des Grands Barrages
Paris

1172

I trust this enumeration will meet with your approval and that of the Minister

I have the honor to be
Sir
Your obedient Servant
M. McPearce
Supt.

A. Walsh Esq.
Com. Dom. Lands
Winnipeg

Copy

1172

1149

Private

Edmonton
August 20/84

Dear Mr Walsh,

I enclose with this a schedule of the enumeration of settlers within the tract allotted to the Edmonton and Saskatchewan Land Coy of Canada, and think that all the necessary information is in it. I do not know exactly what form Mr Stephenson has adopted, but if it is not better than this, or as good, this might be shown him and have him make his returns in conformity therewith. It would be well to have uniformity about them.

The date of their arrival in the country I think necessary to enable the Minister to determine what settlers have been placed on the lands by the Company, & those that have come at their aid of said Company, in some cases against their wishes

Yours faithfully
A. McD. Pearce

A. Walsh Esq.
Comr Dom. Lands
Winnipeg

331

1172

Paris

Monsieur le Préfet

Marseille le 30 Juin

Monsieur le Préfet,

J'ai l'honneur de vous prévenir que j'ai donné ordre à mes agents de ne plus exercer aucune surveillance à bord des navires en partance pour les ports étrangers.

Je vous prie, Monsieur le Préfet, de vouloir bien donner des ordres pour que les mêmes mesures soient prises à l'égard des navires français.

Veuillez agréer, Monsieur le Préfet, l'assurance de ma haute considération.

Le Commissaire Spécial
de la Police des Ports
[illegible]

M. le Préfet du
Département
Marseille

1150

1173

335

1173

Secretary

Calgary 15th Aug. 1886

My dear Smith

Inclosed with this find copies of letters sent to Mr Burgess under private cover to Lt. Governor Col. C.o. I think tonight it best to send it through Mr Burgess as I imagine he proposed that D. in C.: No doubt there will be an attack during the next session to impeach my veracity over the Belcher report and with Oliver to get hold of this there would be a plausability in it. Of course if I have to defend I could show the responsibility rested with the Ministers. As they innumerable schedules showed debt settlers owned in neighborhood of Edmonton. debt he settled on the land perhaps he came from In my confidential report I drew particular attention to this. If I am asked how many settlers lived there placed in this vicinity of Edmonton by this Co. my answer would be not more than ten.

Yours very truly
A. Bowland

A. H. Smith Esq
Com.r of Dom Lands
Winnipeg.

Private

1173

1151

Calgary 15 Aug. 1884.

My dear Mr. Burgess

On Thursday last I was shown in the Com^r Office Winnipeg the "Dun C" making settlement with the Ed. & Sas^k Land & Credit Co. And one clause of that recites that I have made an enumeration which "shows that there were within that tract 44 bona fide settlers placed thereon since the date of the agreement."

I enclose with this copies of my report which accompanied the schedules as it is possible some point may have been overlooked. Should my friend Oliver get hold of this "Dun C" and it is possible that may, he would make it very awkward for me should an enquiry be made in the House it might not be very pleasant. You will notice in the schedules I gave the date of their arrival in Edmonton, date residence was begun on land within the Col. Co. tract, and where the settler came from. I did this so that there should be no difficulty in determining what number the Co. should be credited with. I have thought it well to direct your attention to this. If it is intended to credit that Co with that no of settlers after noticing the points raised in my report (confidential) of Aug 30th 1884, I have no objection to offer. But it has occurred to me that it might not have been noticed. Oliver's comments on my report are, that I lie. He has never furnished any proof of it, but with this material he might at least furnish the semblance of truth

Very truly yours
ed. Wm Pearce

333

1173

1151

Original

Oxford 15 Sept. 1881.

My dear Mr. Darwin

Dr Sharpey has sent me your
letter of Monday for Mr Bentley &
I return it to Mr. Darwin & Evans &
am very glad after having made
my communication to learn that there was nothing
that need prevent its publication. Please thank
Mr Darwin for his courtesy.

I wonder with this opinion of mine before
me you should be willing to publish my
paper. Of course I am very glad
that you do so. Only I feel it is presumptuous
in me to criticise your work & yet
I cannot help thinking that you have
not given the matter your usual attention.
Please forgive me for saying this. If I am
right in my criticism the fact is
that you have not taken the trouble
to understand my position & have
therefore misrepresented it. I
have already in my Physiology written
more than the paper to which you
refer & I cannot help thinking that
if you will read it you will see
that you have misrepresented me.
Pardon me for writing thus
frankly. I am sure you will
believe me when I say that
I am not conscious of any
personal feeling in the matter.

Yours very sincerely
W. M. Ramsay

Copy

1152

1173

Edmonton
August 30th/84

Sir

I have the honor to enclose for your information, and after making copy of the same to be forwarded to the Minister, a Schedule showing the Settlers now located within the tract allotted to the Edmonton Saskatchewan Land Coy. of Canada.

I was instructed to make said enumeration by H. O. letter of 30th May. 1884 No 45859.

While I was at Battleford, Mr. Macaulay made the enumeration and schedulyed them, and these give all the information that can be obtained, or may be desired. It is I think very reliable.

There is one point to which it may be well to direct your attention, that is the numbering is not consecutive, which is owing to the enumeration of settlers also in Tp. 55 Rgs. 23 & 24, for which this Coy. has applied. They were all schedulyed together, and on the two latter Townships a separate report will be made.

Townships 56 & 54 have no settlers therein and Mr. Simpson the Genl. Manager of the Coy. informs me that the Company have relinquished their claim thereto, & asked for Tp. 55 Ranges 23 & 24 in lieu thereof.

There are 124 in the four Townships, of these probably 3 have left the Country: 25 have no entry yet given, but about 16 of them will receive entry. Which will make about 115 Settlers within the tract. That number will eventually prove to be I think within one or two either way of the correct number.

I trust this enumeration

will

335

1173

Marseille
Vendredi 30 Août

Mon

J'ai bien reçu votre lettre avec
votre mandat de 100 francs. Je vous
en remercie bien sincèrement. Je
vous écrirai plus longuement
dans quelques jours.

Votre bien reconnaissant
Emile Zola

1173

Mr. Minnie

Mrs. Minnie

Mrs. Minnie

Mrs. Minnie

380



will meet with your approval and that of the Minister

I have the honor to be
Sir
Your obedient servant
d. Wm Pearce
Supt.

A. Walsh Esq.
Com: Dom: Lands
Winnipeg

4/

1173

1153

Confidential

Edmonton
Aug 30/84

Sir;

I have the honor to enclose for your perusal and then to be forwarded the Minister a Confidential report to accompany my Official Report on the Enumeration of the Settlers within the tract allotted for Colonization purposes to the Edmonton Saskatchewan Land Coy. of Canada. This report may be used officially if the Minister so wishes it.

From the date of the arrival of the settlers in Edmonton it will be seen that only 14 have come to this Country since the Coy. opened their Offices July 1883.

Forty five settlers have come here since April 1st 1882, at which date I am informed the land was allotted to the Company.

Several are put on the Schedule who claim Pre-emption entries within the tract and have their Homesteads in River Lots. Two have made Homestead entries within the tract and are yet living on River Lots, and claim title also to the latter through past residence thereon.

I think with reference to entries granted on odd sections, it would be well to deduct the area from the amount granted to the Coy. and not enumerate the Settlers thereon, nor in the Settlement Belt, as belonging to their operations.

It may be thought advisable to deduct all settlers who were here before the Co began operations, or at least before the grant was made.

A copy of my report on the

Inspection

337

115-3

1173

4

Confidential

Edmonton
Aug 30/84

Sir,

I have the honor to enclose for your perusal and then to be forwarded the Minister a Confidential Report to accompany my official report on the enumeration of the settlers within the tract allotted for Colonization purposes to the Edmonton & Saskatchewan Land Coy. of Canada. This report may be used officially if the Minister so desires it.

From the date of the arrival of the settlers in Edmonton it will be seen that only 19 have come to this country since the Coy. opened their office in July 1883.

Forty five settlers have come here since April 1st 1882, at which date I am informed the land was allotted to the Company.

Several are put on the schedule who claim Pre-emption entries within the tract and have their Homesteads on River Lots. Two have made Homestead entries within the tract and are yet living on River Lots, and claim title also to the latter through past residence thereon.

I think with reference to entries granted on odd sections, it would be well to deduct the area from the amount granted to the Coy. and not enumerate the settlers thereon, nor in the Settlement Belt, as belonging to their operations.

It may be thought advisable to deduct all settlers who were here before the Coy. began operations, or at least before the grant was made.

A Copy of my report on the Inspection

1173

[illegible]

1173

Inspection of the office of this Co was forwarded you July 28th and shows what has been done by it. Please have a copy made and forwarded with this

I have the honor to be
Sir
Your obedient servant
W. Pearce
Supt

A Walsh Esq.
Com. Dom. Lands

1173

1154

Private

Edmonton
August 30/84

Dear Mr. Walsh,

I enclose with this a schedule of the enumeration of Settlers within the tract allotted to the Edmonton and Saskatchewan Land Coy. of Canada, and think that all the necessary information is in it. I do not know exactly what form Mr. Stephenson has adopted, but if it is not better than this, or as good, this might be shown him and have him make his returns in conformity therewith. It would be well to have uniformity about them.

The date of their arrival in the country I think necessary to enable the Minister to determine what Settlers have been placed on the lands by the Company, those that have come without the aid of said Company, in some cases against their wishes

Yours faithfully
A. W. Pearce

A Walsh Esq.
Com. Dom. Lands
Winnipeg

1173

339

Monsieur
Directeur du Jet

Monsieur,

J'ai l'honneur de vous informer que
M. le Commissaire général de la République
Française près la Confédération Suisse a
bien voulu me faire connaître que le Gouvernement
de la République Française ne s'oppose pas à
ce que le Journal Suisse soit admis à circuler
librement en France.

Je vous prie de vouloir bien en informer
M. le Commissaire général de la République
Française près la Confédération Suisse.

Veuillez agréer, Monsieur, l'assurance
de ma haute considération.

Le Président
de la Confédération Suisse
Ministre

1155

1174

Calgary 16th August 6

P. V. Garrioch
Agent Dom Lands Edmonton.
Intend going Edmonton Thursday
notify parties interested Tell Hardisty.
W. Pearce

1156

Calgary 16th August 6

P. V. Garrioch
Agent Dom Lands Edmonton.
Intend going Edmonton Thursday
notify parties interested Tell Hardisty.
W. Pearce

340

1174

1174

1157

1158

1175

Calgary 16 August 1886

Sir,

I have the honor to inform you that I have been instructed by the Commissioner of Dominion Lands to issue a sub-pena commanding you to produce the memo or agreement entered into between you, Major Bowling and Mr. Lindsay on the one part and Dominion Lands on the the other part attended to in your absence and that of Major Bowling taken before me on the 14th of last June. I have the time Wednesday the 18th prox. be too limited to obtain said memo. or agreement, a reasonable extension will be given on application

I have the honor to be
Sir,
Your obedient servant

J. Wm. Pearce
Insp.

M. J. Lindsay Esq. M. D.
Calgary
Alberta.

342

8211

1175

Subpœna form

1159

1175

Neville J. Lindsay of the town of Calgary
Doctor of medicine.

me the.
Dominion Lands Office Calgary

Wednesday 18th August
6 10 fore.

certain charges preferred by one
Augustus Carney against Baptiste Anas relative to
his having disposed of his right to a portion of the
E½ 10-24-1W5th or any other actions of his whereby
he may have forfeited his claim to the same.

before me the
memorandum or agreement entered into between
yourself Messrs Perry & Dowling on the one part and
the said Anas on the other alluded to in your evidence
and that of Major Dowling taken before me on the
14th day of June 1886.

16th August 6

J. McLeod
Supt. of Mines

343

1175

Monsieur le Préfet des Pyrénées
Orientales.

Perpignan

Monsieur le Préfet

J'ai l'honneur de vous adresser
ci-joint, sous pli séparé, la
demande de permis de chasse
que vous a remise le Sieur
Dupuis (Jean-Baptiste-Antoine)
né à Perpignan le 10 Août 1882
et domicilié à Perpignan
rue Fontfroide n° 12.

Je vous prie de vouloir bien
lui délivrer le permis
de chasse qu'il sollicite.

Veuillez agréer, Monsieur le Préfet,
l'assurance de ma haute
considération.

Le Maire de Perpignan

1176

1160

Calgary 16 Aug. 1886

Sir,

I have the honor to inform you that by direction of the Comr. of Dom. Lands I have this day issued a subpœna commanding Neville J. Lindsay Esq. M.D. to produce before me at the Dom. Lands Office Calgary at 10 a the memo. or agreement entered into between himself Mr. Berry & Major Bowling on the one part, and Baptiste Amas on the other, & which memo. or agreement was alluded to in the evidence of Dr. Lindsay & Major Bowl taken before me on the 14th of last June.

He has been further informed that if a time Wednesday next be too limited to obtain the said document, a reasonable extension will be given him on application

As you are one of the parties interested in this matter I have thought it advisable to notify you of all the steps taken so that you may take any action you deem advisable

I have the honor to be
Sir,
Your obedient Servant
Wm Pearce

Augustus Carney Esq.
Calgary
Alberta.

344

1176

1160

Delphes le Sept. 1880

Mes

1161

1177

Calgary
16 August. 1886

My dear Pereira,

I enclose with this duplicate of a letter sent by me to the Minister on the 28th. of may last asking permission to purchase certain land in this neighbourhood. The original I presume has been mislaid.

Please bring this to the attention of the Minister and send me the requisite authority

Yours very truly
W. Pearce

L. Pereira Esq.
Dept. of Interior
Ottawa.

345

1171

1171

Le Vésinet
le 8 août 1886

Mon cher Pierre,

Jamais mots ne
diront à quel point je te
remercie ma bonne Marie
de ton empressement.
Je t'embrasse encore
de tout mon cœur.

Ta vieille
Maman

Mlle Marie Pierre
Rue de Vaugirard
Paris.

1162

1178

Calgary 16 August 1886

Sir

I have the honor to apply for permission to purchase that portion of the S.W. ¼ 13-24-1 W 5th lying South of the Bow River from the Canadian Pacific Railway for my own purposes, with the intention of erecting a residence thereon. The area as shown by the township map is 116 ac. of this only about 40 ac. are not flooded during high water by the Bow River which gives no larger area than required to keep a couple of horses, and cows, which I would wish to do.

Under the "Dominion Lands" appointing me to my present position I am not permitted to purchase lands public or private without the permission of the Minister of the Interior first asked and obtained, and when I spoke to you last Autumn about this you then stated you saw no objection to granting my request which I trust you will now do

I have the honor to be
Sir,
Your obedient Servant
Wm Pearce

Hon. Thos. White
Minister of Interior
Ottawa

1178

346

347

1179

1163

Unofficial

Calgary 16th Aug 1886.

Dear Sir

You requested that I should remind you to discuss with the Minister of Justice the rights of the B.C. Co to Lands not suitable for agriculture or settlement, as is the term used in the deed of Surrender. clause 5.

This point was brought up at Banff as a portion of the all Sec 26- 25- 12 W 5th could advantageously be used

I have today written the Lieutenant reminding him of the description you wished purposed which would have no allusion to the C.P.R. and asked him to send me a duplicate of same

When this point is under discussion the Government left

Hon. Thos. White
Minister of Interior
Ottawa
Ont.

1179

If the B.C. Co might be consulted but probably that will be fully brought out when the dispute over this between B.C. & the Dominion is before the Courts.

Inspector Deane for Edmonton in a few days & he back in three weeks. Oliver and his Ballot will have another opportunity for another Vote

Yours faithfully

J. Rae Brisbin

1179

1179

347

1164

1180

Calgary 17 Aug. 1885

Sir,

I have the honor to acknowledge the receipt of yours of the 15th inst. requesting information concerning the exchange of that portion of the N. ½ of ¼ 10, 24, 1 W 5th lying North of the Elbow River and in reply beg to state that I have this day forwarded your communication to the Minister of the Interior requesting that the necessary steps be taken with as little delay as possible.

In the meantime, I may state that the Minister viewed the exchange most favourably and I anticipate no difficulty about the same. If your Society is incorporated, I would suggest that you send the Minister a properly certified copy of bill of incorporation, if such has not been already furnished.

It is I think probable the grant will be made in trust to your Society to be devoted to the purposes of said Agricultural Society.

As to grant of any portion of said part of Sec. 10 to Mr. Augustus Carney, I would suggest that no time be lost in deciding the area & location of same so that it may be reserved from the grant, or probably Mr. Carney will acquiesce in the grant being made to your Society, leaving him to arrange with said Society. This would I think simplify matters so far as the Dept. of the Interior is concerned, & I trust can be readily arranged by the parties interested

I have the honor to be
Sir
Your obedt. Servt.
W. Pearce
Supt.

Major James Walker
Pres. of Calgary Agricultural Society - Calgary

1180

11bt

348

Oldport 14 Sept. 1848

Dear Sir,

I have the honor to acknowledge the receipt of yours of the 12th inst. requesting information relative to the exchange of letters between Oldport & Jumpt Mouth after the 1st of Oct. next. Letters hereafter to be sent to this office will be forwarded by the Steamer sailing from Oldport for Jumpt Mouth on the 1st & 15th of each month.

The Steamer sailing from Oldport on the 15th will be the first to carry letters for Jumpt Mouth.

The postage on letters from Oldport to Jumpt Mouth will be 25 cts. per single letter.

I have the honor to be
Sir
Your obed. Serv.

Postmaster
Oldport

Postmaster
Jumpt Mouth

Personal & Immediate

1165

1181

Calgary 17 Aug. 1886

Sir,

I have the honor to enclose herewith copy of letter dated yesterday received from the President of the Calgary Agricultural Society relative to an exchange of a portion of Sec. 16-24-1 W 5th promised or granted to this Society for that portion of the N. E. ¼ 10-24-1 W 5th lying North of the Elbow River, and copy of my reply thereto.

This matter was discussed with the Minister during his late visit here and he is familiar therewith. I think all the points are brought out in my reply. As to the Carney claim, he asked to have the privilege of buying 5 ac. as he wished to be convenient to schools on account of his children. If that matter be left wholly to the said Society to arrange I think it would be well. If without spoiling their ground he can be granted any reasonable area well & good. If not, to settle the matter, probably the society would buy him a lot or two on Sec. 16 to build on, or a piece from Dreas on the opposite bank of the River.

I have marked this "personal & immediate" so that no time may be lost in bringing it to the attention of the Minister, as the Society proposes to be desirous to erect buildings & make other improvements at once.

I have the honor to be
Sir
Your obedient servant
W. Pearce
Supt.

John R. Hall Esq.
Secty. Dept. of Interior
Ottawa.

1181

Prussian Ambassador

Berlin, 14 May 1884

Sir,

I have the honour to enclose herewith copy of a letter dated yesterday's date addressed to me by Count Bismarck-Schönhausen relative to the accession of Portugal to the Berne Convention of the 9th September 1886 for the protection of literary and artistic works.

I have the honour to be,
Sir,
Your obedient humble
servant
Count Münster

The Right Hon.
Lord Odo Russell
&c. &c. &c.

340

1166

1181 Copy.

Calgary 17. Aug. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 16th inst. requesting information concerning the exchange of that portion of the N.E. 1/4 10, 24. 1 W 5th lying North of the Elbow River and in reply beg to state that I have this day forwarded your communication to the Minister of the Interior, requesting that the necessary steps may be taken with as little delay as possible.

In the meantime I may state that the Minister viewed the exchange most favorably and I anticipate no difficulty above the same. If your Society is incorporated, I would suggest that you send the Minister a properly certified copy of bill of incorporation, if such has not been already furnished.

It is I think probable the grant will be made in trust to your Society, to be devoted to the purposes of said Agricultural Society.

As to grant of any portion of said part of Sec. 10. to Mr. Augustus Carney, I would suggest that no time be lost in deciding the area & location of same, so that it may be reserved from the grant: or probably Mr. Carney will acquiesce in the grant being made to your Society, leaving him to arrange with said Society. This would I think simplify matters so far as the Dept. of the Interior is concerned; & I trust can be readily arranged by the parties interested.

I have the honor to be
Sir,
Your obedient Serv.
Sd. Wm. Pearce
Supt.

Major James Walker
Pres. of Calgary Agricultural
Society — Calgary

1181

Original.

330

Washington, le 4 Déc. 1882

Mon cher Ami,

Je viens de recevoir la nouvelle de votre
heureuse arrivée à Paris le 3 courant. Mais
je ne vois pas encore votre lettre annonçant
votre débarquement à Boulogne. Je vous
prie de me la faire parvenir aussitôt
que possible.

Je me permettrai aussi de vous prier
de vouloir bien me faire savoir votre
adresse à Paris, aussitôt que vous
vous serez installé dans votre
appartement définitif.

Je crains que le froid ne vous
ait fait souffrir pendant votre
traversée. Ici, nous avons
eu un hiver très rigoureux.
Le thermomètre est descendu
jusqu'à 10° au-dessous de zéro.
Nous avons eu de la neige
presque tous les jours.

Je suis très occupé en ce moment
à préparer mon message annuel
au Congrès, qui doit être
communiqué à la session
qui va s'ouvrir le 11 courant.
Je vous en enverrai un exemplaire
aussitôt qu'il sera imprimé.

Veuillez présenter mes
hommages à Madame
votre épouse, et croyez
moi

Votre dévoué ami.

Chester A. Arthur

Monsieur
Monsieur Blaine
Député
Paris

Copy

1181

1167

Calgary District Agricultural Society

Calgary 16 Aug. 1886

Wm Pearce Esq.

Dominion Lands Comm.

Dear Sir;

What decision did you arrive at with the Minister of the Interior respecting the exchange of a portion of land set aside for Agricultural purposes on the S.W. Qr. of Section 16 for that portion of Section 10 being North of the Elbow River and East of the R. C. Mission property.

I trust in the interests of the Agricultural Association you will be able to make this exchange and at as early a date as possible, as we intend holding a grand Fall Exhibition here about the end of September this year and would like to be able to lay out the money required for the necessary buildings, fences &c on our own grounds.

I am

Yours sincerely

sd. James Walker.

Copy

1181

Belgium, Minister Plenipotentiary to Belgium
Belgium, 15 Aug. 1864

Mr. Pierre Le
Secretary of State
Washington

Dear Sir,

I have the honor to inform you that I have received
the necessary instructions of Count de
Vanderstraten Hugenpoet, Minister of
Foreign Affairs of Belgium, to present to the
Government of the United States the
Convention signed between Belgium and Great
Britain, on the subject of the Scheldt.

I have, therefore, the honor to request
you, Sir, to be kind enough to make this
communication known to the President, and to
fix the day and hour when he will
receive me.

I am
Dear Sir
Your most obedient
Servant
Jean Stas

This Agreement made this Twenty ninth day of June in the year of our Lord One thousand eight hundred and eighty five Between Frank McCabe of Canmore in the District of Alberta Section Foreman of the Canadian Pacific Railway and William McCardell at present employed on the Canadian Pacific Railroad Construction West in the Province of British Columbia Lower portion of the first part And George Hall of Medicine Hat in the District of Assiniboia Railroad Conductor and Simon Grierson of Calgary in the District of Alberta Telegraph Line Repairer parties of the second part

Witnesseth that the said Frank McCabe and William McCardell the said parties of the first part hereinbefore set forth Mutually agree and firmly bind themselves as Co-partners and owners of certain Hot Springs situate lying and being Three and one half Miles more or less from Banff Station in the District of Alberta. The said Hot Springs to be known as the "Alberta Hot Springs." And the above mentioned Frank McCabe and William McCardell parties of the first part and the said George Hall and Simon Grierson parties of the second part Mutually agree to form themselves into a Company to own Control and Manage the said Springs hereinbefore mentioned and described under the name style and firm of "The Alberta Hot Springs

1182

1182

325

1182

"Convieum" - And the parties of the first part as hereinbefore set forth agree with the parties of the second part as hereinbefore described that the Copartnership shall be upon the following Conditions that is to say that the said Frank McCabe and William McCardell parties of the first part as hereinbefore described shall have own and possess One half interest in their Claims in said Springs situate as aforesaid for and in Consideration of their right title and claims and discoveries of said Springs, And also that the said George Hall and Simon Tierney parties of the second part as hereinbefore described shall have own and possess One half interest in said Springs upon fulfilling the following Conditions that is to say that the said George Hall and Simon Tierney shall expend and find themselves to pay the said parties of the first part as hereinbefore described for the expenses already incurred expended and laid out in opening up the said Springs a sum of money not to exceed the Sum of One Hundred and Fifty dollars And also upon the Condition that the said George Hall and Simon Tierney shall and do pay and fully satisfy all Monies agreed to be paid by the Government of Colorado for the purpose of perfecting the title of the said Company to the said

1182

1182

Province and to pay all moneys that may be necessary to fulfill all conditions demands and requirements made or to be made by the Government of Canada in order to obtain a legal title to the said Province hereinbefore fully set forth and described -

- In witness whereof the parties to this agreement hereunto set their hands and seals on the day and date above mentioned-

Signed Sealed and delivered in the presence of } Frank McCabe
William Draper } William McCandell
George Hall
James Grierson.

Canada
North West Territories
Town } To all to whom these presents may come, be seen or known
James A. Jermuda a Notary Public by royal authority duly appointed residing at the Town of Calgary in the District of Alberta do certify and attest that the paper writing hereto annexed is a true copy of a document produced to me by George Hall and James Grierson purporting to be made by Frank McCabe William McCandell George Hall and James Grierson dated the twenty ninth day of June in the year of our Lord one thousand eight hundred and eighty four

1182

354

1182

the said Copy having been compared by me with the said Original -

And whereof being requested I have granted the same under my Notarial Form and Seal of Office to serve and availe where soever it shall or may require -

Dated at Calgary August 16th 1886 -

Fred A Lawrence
A Notary Public in & for the North West Territories -

1182

Calgary 17th Aug 82.

1184

My dear Clement

Yours of the 16th re. cutting out & alleging lines covered Dec 26 dec'd today & to me is inexplicable

Could you tell me where they were Mine and names of any in party. When did they stop and how many were there in party. From that I could form an opinion. Affidavit was what I required

Yours very truly

Wm Pearce

Geo. A Clement Esq
C.S. & D.L.S.
Banff.

unofficial

Calgary 17th Aug 82

1183

Dear Sir

The following is an extract from a letter received today from Geo. A. Clement of Banff dated yesterday

"I have been engaged for Dominion Govt tracing the lines of Dec 26. Can you explain it! I did not know what they were at like after they were Govt — by what power some parties have that they were acting for the Dom Govt but after what Mr White said about the CP. Claim I do not understand the matter. Can you find out? They have blazed out the lines around the section and cut down some of my survey lines - If I could have caught them in time I think I would have thrashed them."

I cannot make this out unless they [illegible] sent by the CP.C. I have written Clement to ascertain when they were there & the names of any from which I think I could ascertain particulars. I thought it well to advise you in case Clement had not

Yours faithfully

Wm Pearce

Hon Thos White
Ottawa
Ont

1186

1187

1188

1185

1185

1171

Prior to the reading of the documents above referred to

William Perkins was Sworn as reporter, the oath being—In the matter of the investigation of claims preferred to Banff Springs, or vicinity thereof, by reason of the discovery or improvements, you swear that you will correctly and faithfully take down in shorthand characters the evidence of the various witnesses examined in said investigation, and that you will correctly and faithfully transcribe and extend in ordinary characters the evidence so taken down—So Help Your God.

The oath administered to the witnesses was as follows:—In the matter of the investigation of claims preferred to Banff Springs, or vicinity thereof, by reason of discovery or improvements you swear that you will tell the truth, the whole truth, and nothing but the truth—So Help Your God.

Mr Woodworth stated that he did not wish it to be understood that his sitting in the room was a consent to the mode of procedure followed by Mr Pierce ( referring to the reading of the contents of the Dept't File) He said—I cannot see what bearing it has on the case, and I don't see how those letters could influence myself and Sir John A. Macdonald or the Minister of the Interior, or between Mr. Loughead and the Minister, and I wish my objection noted to such parts as are relevant to the case should be read.

Mr Pierce—My instructions from the Minister are to give everybody a chance to start fair, and I do

1711

1186

8

sent here to take all the evidence in this case, as I thought this would be the best way to save time, to read all this so that you might know what has taken place, and save notes, &c., &c., if you wished.

Mr [illegible]—I object to that evidence (Mr. E. Fitzh's) being put in on the ground that no notice was given to the plaintiffs so that they might have attended on the examination [illegible] Fitzh's suit is on behalf of Mr. Dan. McCarthy.

Mr [illegible]—The evidence can stand, I think that constitutes a waiver.

Mr [illegible]—How do you propose taking the examination—generally, to precedence of the claims [illegible]

Mr [illegible]—

Eddie McCABE Sworn——

[illegible]

Mr. McCabe, my name is Eddie. I am known as [illegible]. I am twenty-nine years old, my Post Office address is Emerald. I am a married man; I was born in Nine [illegible] British Subject; I came to Manitoba in 1880 [illegible] between here and British Columbia over since, my occupation has been prospecting and railroading, that is all. I was railroading last winter; I did railroading in 1881 on the Manitoba-South-Western Railway. I worked there; I came in on the 1st. of December 1880 and the first work I done was on the Manitoba-South-Western, I think, that was in 1881; I went to work, I think, in January, the [illegible] commenced about there; I don't think it

1186

4

was in December 1881 that I came in; I may be mistaken, but I don't think so; I always calculated that; I worked there, I think until about the Ist of April , and then I went out on the C. P. R? to Gopher Creek in the spring on 1882; I continued Railroad work till the Ist of August 1882 and then I went back to Winnipeg and stayed there for the winter and went to British Columbia in the spring, and went to St Paul and SanFrancisco and up the coast and I stayed there about a month; I got there on the 29th. of May and left there for Manitoba and the North-West; I came up from the Coast through Macleod and I got into Calgary on the 10th of October; I stayed at Cannanascus where I was section foreman xx until December when the road was shut down; I stayed there during the winter; I did hunting and exploring all winter with [illegible] and we went prospecting in the spring; we left Canmore in April and we went out on the Columbia and I came back here in July I think; In November we came up to Banff; we went prospecting in the Mountains in April 1884. we were prospecting in the Selkirks and I came back to Canmore on the 14th. of July 1884 & I went to work at Canmore as Section foreman, and I was here part of the time and part of the time I would come up here and perhaps stay a week; I do not mind how many times I was up here, and I remained Section foreman until August 1885; I don't know whether I could furnish my time sheet from then; I don't know whether they would have it; I worked here until August 1885 from July 1884 and I went from here the last of September and from there down the river between the two lakes trapping and prospecting, and I returned from there the Ist. of June 1886, and since then I have been up at the cave here.

Q. But you said that in November you came up to Banff?

1886

was in December 1881 that I came in; I may be mistaken, but I don't think so; I always calculated that; I worked there, I think until about the 1st of April , and then I went out on the C. P. R. to Gopher Creek in the spring on 1882; I continued Railroad work till the 1st of August 1882 and then I went back to Winnipeg and stayed there for the winter and went to British Columbia in the spring, and went to St Paul and SanFrancisco and up the coast and I stayed there about a month; I got there on the 20th. of May and left there for Manitoba and the North-West; I came up from the Coast through Macleod and I got into Calgary on the 10th of October; I stayed at Canmore where I was section foreman xx until December when the road was shut down; I stayed there during the winter; I did hunting and exploring all winter with [illegible] and we went prospecting in the spring; we left Canmore in April and we went out on the Columbia and I came back here in July I think; In November we came up to Banff; we went prospecting in the Mountains in April 1884. we were prospecting in the Selkirks and I came back to Canmore on the 14th. of July 1884 & I went to work at Canmore as Section foreman, and I was here part of the time and part of the time I would come up here and perhaps stay a week, I do not mind how many times I was up here. [illegible] Section foreman until August 1888; I don't know whether I could furnish my time sheet from then; I don't know that I could have it; I worked here until August 1888 from that I went from here the last of September and from then down the river between the two lakes trapping and prospecting, and I returned from there the 1st. of June 1886, and since then I have been up at the cave here.

[illegible] came up to Banff

1186

A--Yes;
Q--You said you were working as section foreman on the C P R at Padmore up to the time the work closed down?
A--Yes;
Q--And during the following winter you and McCardell were hunting and exploring?
A--Yes;
Q--Were you trapping?
A--No.
Q--What about November ?
A--We came up in November 1884 and we stopped here and we went across the River on a raft and found the Cave and other Hot Springs; we went across the - the Hot Springs Mountain to see if there was any springs in there.
(Here is the Mountain from the back of which the Springs flow out).
Q--You were going across to the Hot Springs Mountain to explore the mountain?
A--Yes; I crossed about opposite the pond where the Cave is, we came in and saw the pond and went around the pond and noticed the water running down and the grass was very green and we found the outlet, and we went up and saw the cave and then went home; we looked around there a long time, and it got late; we did not stop over night; there was no place to stop there and we came across here and stopped at the Rail Road over night.
Q--Did you do anything--write your name or anything else?
A--I do not know whether I did, but I think we wrote our names on the big tree there.
Q--Did you see or find any evidence of a shack?
A--No; there was no remains of anything and no sign of any shack there; I saw the remains of Young's shack the next year, but there was no remains of any sort of any shack there first and the bay'n was half full of wood; Young's shack that I saw is about 3 a mile below the cave.
Q--You did not see that till the following year?
A--No.
Q--You went back to Padmore?
A--Yes; McCardell came up afterwards and built the shack.
Q--How long after?
A--I don't recollect.
Q--He built the house?
A--Yes;
Q--At the mouth of the cave--isn't it?
A--Yes;
Q--What did he build there?
A--He put up the walls and put the roof on.
Q--Did he cover it with sod?
A--I don't think so.
Q--How long was he building that house?
A--I cannot say how long; he was away three or four days.
Q--Had he anybody with him?
A--No, not as I know of.
Q--What month was the house built in?
A--In November, I think, 1884, and then we came up here again in the last of October 1885, Thomas McCardell and William [illegible] and I and we went over and stayed a night in the shack, and

A---Yes;

Q---You said you were working as section foreman on the G P R at Pendore up to the time the work closed down?

A---Yes;

Q---And during the following winter you and McDermott were hunting and exploring?

A---Yes;

Q---Were you trapping?

A---No.

Q---What about November ?

A---We came up in November 1884 and we stopped here and we went across the River on a raft and found the Cave and other Hot Springs, we went across the ~~the~~ hot springs Mountain to see if there was any minerals in there.

Q---Did you ever happen to the Hot Springs Mountain to see if there was any minerals in there.

A---They I throwed about upstream the pond where the Cave is. We came in and saw the pond and went around the pond and we saw no water running out and the grass was very green and we found the cavity, and we went in and saw the cave and then went home; we looked around there a long time, and it got late; we did not stop over night; there was no place to stop there and we came across and stopped at the Tail Road over night.

Q---Did you do any---anything---why your camp- or anything else?

A---I do not remember, but I think we wrote our names on the big tree there.

Q---Did you see any other camps of a ~~white~~?

A---No; there was no remains of anything such on edge of first camp there; I saw the remains of Young's about the next year, but there was no remains of any way or any about Young's other than the bench was half of wood, Young's about that I saw is about a mile down the cave.

Q---You did not see that old the following year?

A---No.

Q---You went back to Pendore?

A---Yes; McDermott came up afterwards and built the shack.

Q---How long after?

A---I don't remember.

Q---He built the house?

A---Yes;

Q---At the mouth of the cave---in't it?

A---Yes;

Q---What are he using there?

A---He put up the walls and put the roof on.

Q---Did he cover it with wood?

A---I don't think so.

Q---How long was he building that house?

A---I cannot say how long; he was away three or four days.

Q---Had he anybody with him?

A---No, not as I know of.

Q---What month was the house built in?

A---In November, I think, 1885, and then we came up here again in the last of October 1885, Thomas McDermott and William

1886

A--I think it was in March 1885.
Q--Who was with you?
A--I don't recollect.
Q--How long did you remain at the springs that winter--1883 or 1884?
A--We did not stay very long; it was very cold and we went back home again; we were here two or three days; remained here right at the springs; there was a tent and we stayed there, and then we returned to Padmore.
Q--Did you come back to the springs that winter?
A--I don't think so, until the next spring; we came back, I think in March, but not to stay any time.
Q--How long did you stay then?
A--I don't remember whether we stayed any time or went back home the next day, or the same day. I cannot recollect exactly.
Q--Since that when did you come back to live at the springs?
A-- Billy and me came back here in June 1884; we started from the Beaver and walked up the River and stopped here a night, and we walked up the Beaver and came back and stopped here another night in June 1884.
Q--Two nights--coming to, and going from--stopped here two nights, at the springs?
A--Yes; we went up to Beaver River some of the Indians at Donald, we went to prospect the Spiral, in June 1884.
Q--Then when did you next come back?
A--Then I went back again to the summit of the Rockies and stayed there until July, and on the 14th. of July I got to Canmore and I used to come up frequently.
Q---How often?
A--I could not say.
Q--How long did you stay?
A--Just to have a bath.
Q--Come up one night, and return the same?
A--Yes.
Q--How many times did you come up?
A--I could not say.
Q--Did you come up during the winter of 1884-5?
A--Yes;
Q--Anybody come up with you in the summer and winter of 1884?
A--Yes, and in March 1885 we stayed a week up on the Cave.

Q--You went back to Canmore after that---did you?
A--Yes;
Q--When did you return again to the Springs?
A--I don't know; may be a week or may be two weeks.
Q--How long did you stay?
A--I don't recollect any particular length of time.
Q--Did you ever live there permanently?
A--No, not permanently, perhaps a week at a time, and then I was here a month in August and September 1886.
Q--Between March 1886 and August and September 1886 you lived at the springs how much?
A--I went to work on the Road on the 12th. of August.
Q--Between March 1886 and August and September 1886 how long did you live at the springs---you lived at the springs how much?
A--I could not remember, but I was here very often.
Q--Did you ever stop over night?
A--Yes;
Q--Once, or twice?
A--Yes; I stopped once,; whether I stopped more I cannot remember.
Q--Did you have anybody stop there during August or July 1886?
A--I had not but once, Eli Stilwell, whomwas there taking care of a sick man, and I paid him; the man went there to build a house for me at the hot springs and he took cold wading through the swamps and got rheumatism and telegraphed me and I sent this man to take care of him; the springs cured him; his name was Martin McDonnig.
Q---Was an application made on behalf of yourself, Sanson, McCarrell and McNeil?---Who is McNeil?
A--A carpenter at Calgary; I wrote a letter and McNeil took the letter down to Calgary to get it written over; I did not know of Sanson.
Q--What was the letter that you wrote?
A--A letter to the Minister asking the Minister to let us have the springs.
Q--How many acres did you want?
A---Forty Acres.
Q--Your application does not state how much?
A--No.
Q---Why did you ask for 40 acres?
A--Because the Minister sent word to us by Mr A M McVittie, Mr McPherson, for us to stake out 40 acres and take it up as a mining claim; Mr McVittie is prepared to swear to this.
Q--Did you subpoena him?
A--No; the reason we did not stake it out was because when we got the word Mr McVittie was in Ottawa and told us to send $3,00 at Ottawa to get it registered, and we wrote to Mr Brown to Calgary to come up; I think he is a Dominion Land Surveyor, and he wanted $15.00 a day to stake a line from Morley, and we would have to have a little more money before we could get it done, & we did not know the law of the North-West with regard to it.
Q--You had been prospecting all through here?
A--Yes.
Q---When you filed your application last March for the Hot Springs why did'nt you then apply for it as a mining claim?
A--After Mr Gordon was up here I had it staked out and I asked him about the Mining Licenses and he told me that the stakes were

1186

Q---You went back to Gunnore after that?---Ans Not

A---Yes;

Q---When did you return again to the Springs?

A---I don't know; may be a week o r may be two weeks.

Q---How long did you stay?

A---I don't recollect any particular length of time.

Q---Did you ever live there permanently?

A---No, not permanently; perhaps a week at a time. and then I was here a month in August and September 1888.

Q---Between March 1888 and August and September 1888 you lived at the springs how much?

A---I went to work on the Road on the 12th. of August.

Q---Between March 1888 and August and September 1888 how long did you live at the springs---you lived at the springs how much?

A---I could not remember, but I was here very often.

Q---Did you ever stop over night?

A---Yes;

Q---Once, or twice?

A---Yes; I stopped once.; whether I stopped more I cannot remember.

Q---Did you have anybody stop there during August or July 1888?

A---I had not but once. Ellis Atkinwell, whowas there taking care of a sick man, and I paid him; the man went there to build a house for me--at the Hot springs and he took cold wading through the swamps and got rheumatism and telegraphed me and I sent this man to take care of him; the springs saved him; his name was Martin McDonald.

Q---Was an application made on behalf of Yourself, Sanson, McCarroll and McNeil?---As to McNeil?

A---A carpenter at Calgary; I wrote a letter and McNeil took the letter down to Calgary to get it written over, I did not know of Sanson.

Q---What was the letter that you wrote?

A---A letter to the Minister asking the Minister to let me have the springs.

Q---How many acres did you want?

A---Forty Acres.

Q---Your application does not state now much?

A---No.

Q---Why did you ask for 40 acres?

A---Because the Minister sent word to us by Mr A R McVittie, Mr McPherson, for us to stake out 40 acres and take it up as mining claim; Mr McVittie is prepared to swear to this.

Q---Did you subpoena him?

A---No; the reason we did not stake it out was because when we got the word Mr M CVittie was in Ottawa and told us to send $1,000 at Ottawa to get it recorded, and we wrote to Mr Brown to Calgary to come up; I think he is a Dominion Land Surveyor, and he wanted $15.00 a day to stake a line from Morley, and we would have to have a little more money before we could get it done, & we did not know the law of the North-West with regard to it.

Q---You had been prospecting all through here?

A---Yes.

Q---When you filed your application last March for the Hot Springs why did you then apply for it as a mining claim?

A---After Mr Gordon was up here I had it staked out and I asked him about the Mining Licenses and he told me that the stakes were

good for Ninety days, and I told him what Mr McPherson had said, and he said "Your stakes are good for ninety days, and come to Calgary and get a license" and I went to Calgary and asked the man in the office for a mining license, and he told me that it could not be taken as a mining claim, Mr McVittie told me in the winter of 83 and 1884 that the Minister of the Interior had said that if I would get a Dominion Land Surveyor and stake out 40 acres that it would be granted to me as a mining claim, and I was prevented from so doing on account of the expense as asked for by Brown.

Q--The first Mining Regulations were promulgated in the spring of 1884?

A--March I think.

Q--Why Did'nt you after the mining regulations were issued stake it out as a mining claim then; it did not require any license?

A--We left here in the spring and went to British Columbia and we did not know anything about the mining regulations, and I think Mr McVittie told us there was mining regulations coming out in the spring, and I wrote to Ottawa and they did not send them to us.

Q--Why did'nt you stake them out in the spring of 1884?

A--I don't know; we did not know the mining regulations, and I never saw the mining regulations until I saw one with Fitch last fall.

Q--Did you ever hear of anyone that had one?

A--No.

Q--Did you ever hear of any dissatisfaction with regard to the mining regulations?

A--Always.

Q--On what ground?

A--People were saying that things were not fair.

Q--Somebody must have had it?

A--I heard that they had to get an Act of Parliament passed to take them up before the regulations.

Q--Why could'nt they take them up afterwards?

A--I could not say; I went on the road working.

Q--Your springs were still lying there?

A--Yes, but I thought they had to be surveyed by a Dominion Land Surveyor, and I did not think anybody would bother us about them

Q--You say that that application signed by the four of you is not your application?

A--I don't recollect what I wrote; it may be a copy of what I wrote, but this Sanson I do not know him and I never authorised him to put his name there.

Q--I will read the letter in full; it is dated at Calgary 20th. of March 1886?

A--I never wrote that letter.

Q--So that if your signature is to such a letter as that it is a forgery?

A--Yes; I never wrote a letter in that way.

Q--You did write one and Mr McNeil took it to Calgary?

A--Yes;

Q--Did you ever get an answer to that?

A--Yes;

Q--To whom was it addressed?

A--It was addressed to me.

Q--Did it speak of anybody else?

1186

A--I don't recollect what it spoke of, nor what was in it, but McCardell's name was in it.
Q--If that application alluded to you and three others would'nt it have struck you as strange?
A--Yes;
Q--Would'nt you have corrected it?
A--Yes, but I never got a letter, as I recollect, with any such name as Sonson to it, but I may have got a letter with McNeil's name to it because he took the letter to send to Ottawa. But I never got a letter with Sanson's name to it .
Q--On May 15th. you write concerning these hot springs "I understand Sebring has applied for one of them &c: In this letter you do not allude to the peculiarity about three others being in partnership with you?
A--No;
Q--Why when you got this letter saying there were you and three others did'nt you write correcting it?
A--No:
Q--Why did'nt you?
A--Because I did'nt think there would be any trouble; I did not think anything about it.
Q--If that had said there was you and seventy-five others you would have thought it was right---would you?
A--No.
Q--Don't you think it strange that you did not correct the mistake?
A--No, but I wrote that letter of the 10th. of May.
Q--When did you first meet Mr Woodworth?
A--I met him, I think, it was in August 1886.
Q--Where did you meet him?
A--In Canmore I think it was.
Q--Who introduced you?
A--I thing it was Mr Hall.
Q--Was it just an ordinary interview--an introduction that you are liable to get to anyone?
A--Yes;
Q--When did you first begin to talk about the springs?
A--At the first interview; Mr Woodworth came to me and asked me about the springsand talked to me about the springs and told me that he was going to British Columbia prospecting, and that he and others were going to claim Williams Creek at Cariboo and wanted me to go with him, and the hot springs werec talked about and this trip to B. C. and he asked me to go with him, and then we parted and he came back again after talking to Mr. Fitch.
Q--The same day?
A--No, I think the next day.
Q--Did you come to anything the first meeting?
A--No; just a general conversation.
Q--Did he make anyn offer to buy an interest?
A--No;
Q--And you did not make any offer to him to sell any interest to ye bar?
A--No.
Q--Did he make any offeryto pay you if you went to William's Creek?
A--No.

A--I don't recollect what it spoke of, nor what was in it, but McGardell's name was in it.

Q--If that application alluded to you and three others would'nt it have struck you as strange?

A--Yes;

Q--Would'nt you have corrected it?

A--Yes, but I never got a letter, as I recollect, with any such name as Sonson to it, but I may have got a letter with McNeil 's name to it because he took the letter to send to Ottawa. But I never got a letter with Sanson's name to it .

Q--On May 15th. You write concerning these not signing "I understand Sebring has applied for one of them &c: In this letter you do not allude to the possibility about three others being in partnership with you?

A--No;

Q--Why when you got this letter saying there were you and three others did'nt you write correcting it?

A--No:

Q--Why did'nt you?

A--Because I did'nt think there would be any trouble; I did not think anything about it.

Q--If that had said there was you and seventy-five others you would have thought it was right---would you?

A--No.

Q--Don't you think it strange that you did not correct the mistake?

A--No, but I wrote that letter of the 15th. of May.

Q--When did you first meet Mr Woodworth?

A--I met him, I think, it was in August 1886.

Q--Where did you meet him?

A--In Canmore I think it was.

Q--Who introduced you?

A--I think it was Mr Hall.

Q--Was it just an ordinary introduction--an introduction that you are liable to get to anyone?

A--Yes;

Q--When did you first begin to talk about the springs?

A--At the first interview; Mr Woodworth came to me and spoke to me about the springsand talked to me about the springs and told me that he was going to British Columbia prospecting, and that he and others were going to claim Williams Creek at Cariboo and wanted me to go with him, and the hot springs were talked about and this trip to B. C. and he asked me to go with him, and then we parted and he came back again after talking to Mr. Pitts.

Q--The same day?

A--No, I think the next day.

Q--Did you come to anything the first meeting?

A--No; just a general conversation.

Q--Did he make any offer to buy an interest?

A--No;

Q--And you did not make any offer to him to sell any interest to me?

A--No.

Q--Did he make any offer to pay you if you went to Williams Creek?

A--No.

1186

Q--Did you tell him what you wanted?

A--No, but he said if I want I need never do another day's work as long as I lived; to meet him the next day, and he talked about the nardness of getting them (the springs) and I told him we were trying to get them, but we could not get any satisfaction from the Government.

Q--What did he say?

A--I cannot recollect.

Q--Did you come to any terms then?

A--Yes; I think Mr Woodworth was going to take an interest in the springs and get the springs from the Government.

Q--Was he to give you anything for that interest? Or was he to get that interest on account of his influence with the Government?

A--He was to pay for it; Grierson and Hall were going in to open his spring and we were to go in and help them and they were to help us; there was at that time an arrangement entered into by which Hall and Grierson were to have an interest in the spring; they were to have an equal amount with is and do certain improvements; and McGardell was to have an interest; we were to have ½ interest each; Hall and Grierson, in consideration of their xxxxxxxxxxx interest, were to do certain improvements, they were to build; I don't know as there was any particular amount mentioned, but they were to put up buildings.

Q--At the time you met Mr Woodworth the expenses amounted to some $100.?

A--Yes, and they were to pay $150 in addition to it, the improvements for expenses already incurred.

Q--When Woodworth spoke to you what was he to pay?

A--He was to come in and pay as a third party with Hall, Grierson and each of us was to have one-fifth; Hall one-fifth; Grierson one-fifth, I one-fifth, McGardell one-fifth, and Woodworth one-fifth, and he was to get the springs for us.

Q--And he was to pay his share too?

A--Yes;

Q--Was there any agreement written?

A--No; Woodworth would not have an agreement; it was just a verbal agreement.

Q--Was there anybody present when you came to that agreement?

A--No. He came to me afterwards, I don't recollect how many days afterwards, and stated that R. R. Fitch must have an equal interest with him.

Q--What did you say?

A--I considered for a good while; I did not want to do it at all; at last I told him if they paid this amount $32,50 a piece and get the springs that we would allow them an equal interest.

Q--How many of you did you think were in the partnership then?

A--Six.

Q--How many interests?

A--Six different interests.

Q--You were to have a sixth, McGardell, Hall, Grierson, Fitch and Woodworth to have a sixth?

A--Yes;

Q--What next?

A--I came over here with Fitch; we went to work we blazed our road from the track near the River; we always kept a

Q--Did you tell him what you wanted?
A--No, but he said if I went I need never do another day's work as long as I lived; to meet him the next day, and he talked about the hardness of getting them (the springs) and I told him we were trying to get them, but we could not get any satisfaction from the Government.
Q--What did he say?
A--I cannot recollect.
Q--Did you come to any terms then?
A--Yes; I think Mr Woodworth was going to take an interest in the springs and get the springs from the Government.
Q--Was he to give you anything for that interest? Or was he to get that interest on account of his influence with the Government?
A--He was to pay for it; Grierson and Hall were going in to open his spring and we were to go in and help them and they were to help us; there was at that time an arrangement entered into by which Hall and Grierson were to have an interest in the spring; they were to have an equal amount with us and do certain improvements; and McCardell was to have an interest; we were to have ¼ interest each; Hall and Grierson, in consideration of their ~~xxxxxxxxxxx~~, interest, were to do certain improvements. they were to build; I don't know as there was any particular amount mentioned, but they were to put up buildings.
Q--At the time you met Mr Woodworth the expenses amounted to some $100.? incurred
A--Yes, and they were to pay $130 in addition to it, the improvements for expenses already incurred.
Q--When Woodworth spoke to you what was he to pay?
A--He was to come in and pay as a third party with Hall, Grierson and each of us was to have one-fifth; Hall one-fifth; Grierson one-fifth, I one-fifth, McCardell one-fifth, and Woodworth one-fifth, and he was to get the springs for us.
Q--And he was to pay his share too?
A--Yes;
Q--Was there any agreement written?
A--No; Woodworth would not have an agreement; it was just a verbal agreement.
Q--Was there anybody present when you came to that agreement?
A--No. He came to me afterwards, I don't recollect how many days afterwards, and stated that R. R. Fitch must have an equal interest with him.
Q--What did you say?
A--I considered for a good while; I did not want to do it at all; at last I told him if they paid this amount $32,50 a piece and got the springs that we would allow them an equal interest.
Q--How many of you did you think were in the partnership then?
A--Six.
Q--How many interests?
A--Six different interests.
Q--You were to have a sixth, McCardell, Hall, Grierson, Fitch you and Woodworth to have a sixth?
A--Yes;
Q--What next?
A--I came over herewith Fitch; we went to work; we blazed out a road from the track near the River; we struck right straight

1186

A--Yes.

B-y---Mr.---L-o-n-g-h-e-e-d

Q--With reference to this application signed McCraney, McNeil and McCardell, you state you have an application (McNeil) ?

A--Yes. He was to get it copied and forward it to Ottawa.

Q--You appointed him your Agent to forward that application to Ottawa, and request the Government to give them to you?

A--Yes.

Q--When did you become aware that the names of Sanson and McNeil were upon this application?

A--To-day.

Q--Would it have occurred to you in reading that letter which you received in reply that that referred to other claims?

A--No; it may have occurred to me that it was other claims, or some I had not his name in. But as to Sanson I never heard his name.

Q--Did you know that others were claiming the springs at the time?

A--Yes.

A---Yes.

B- Y---Mr---l---n---g---s---a---d

Q---With reference to this application sig-
ed McCabe, McNeil and McGarvell, you state you gave an applica-
to Allan MacNeil) Y
A---Yes, he was to get it copied and forward it to Ottawa.
Q---You appointed him your Agent to forward that application to
Ottawa, and request the Government to give them to you?
A---Yes.
Q---When did you become aware that the names of Sanson and MacNeil
were upon this application?
A---To-day.
Q---Was it brought to you in reading that letter which
you received in reply that that referred to other claims, or
A---No; it may have occurred to me that it was other claims, or
MacNeil had put his name in, But as to Sanson I never knew his
A---Yes.
Q---Now are you sure that others were claiming the springs at the

Mr Pierce:--I will let you.

This question was not asked Mr Boughton stating he might require to call the present witness in rebuttal if the testimony to be given by Mr Sebring.

Q--Would it have occurred to you that the [illegible] gas formed together parties had applied as well as yourself?
A--Yes.
Q--You say you had no idea of their signing this application until this morning?
A--No.
Q--When did you first become aware of it?

This question was not asked Mr Bering, I--A require to call the present witness in rebuttal to be given by Mr Sebring.

Mr Pierce;--I will let you.

Q--Did McCardell remain at the springs while you were away?
A--No.
Q--Did he ever remain?
A--Yes, when I went away last fall McCardell Came here and spent has been ever since.
here
Q--For what purpose?
A--To keep his right, I suppose; he has been living here nine months.
Q--When you had this conversation, to which you have referred with with Mr Woodowrth he was aware of this arrangement which had been entered into between you and Mann Hall and Grierson and McCardell?
A--Yes;
Q--In what way?
A--I told him; he walked with me from the Round House at Padmore and I told him all about it.
Q--He knew that you had sold a half interest in the springs to Hall and Grierson?
A--Yes;
Q--And that only half interests was in you---remained in you?
A--Yes;
Q--What interfered with the arrangement about the one-sixth being carried out?
A--The agreement was not carried out; it was only a verbal agreement;
Q--Were any representations made to you by Mr Woodworth as to the probability or your not getting the claim from the Government?
A--Yes; it was chances whether I would get it or not;
Q--Did this operate in your mind to decrease the price which you would otherwise have asked ?
A--Yes;
Q--You have not a copy of the first assignment entered into, here?
A--No.
Q--By whom was that assignment drawn out?
A--By Mr Woodworth;
Q--Was it in duplicate?
A--I cannot say, but I don't think it was.
Q--Did you sign one, or two or three?
A--I think only one.
Q--What became of that assignment?

1186

Q--Did you make it?
A--Yes, and went to work at it, and Hazzard and Yole, two other men, and myself did the work.
Q--What was Fitch doing---cooking?
A--No; I done the cooking, and I think Fred Woodworth was with us; I think we were five or six days making the road.
Q--Were you ever paid for your services for making that road?
A--I was not;
Q--Who paid Hazzard and Yole?
A---I think Fitch did.
Q--Did they ever make any claim to you?
A--No;
Q--They never looked to you?
A--No
Q--Supposing you were paying the wages what would you think that road was worth last year?
A--About $30 or $35 altogether;
Q--There was some clearing done?
A--Yes;
Q--How much extra would that be?
A--All the clearing is not worth over $5.
Q--Who built the raft across the river?
A--David Keefe;
Q--Did you go to any expense in it?
A--No.
Q--Who did go to the expense?
A--I don't know;
Q--Was this raft and wait there before you laid out the road?
A--Yes;
Q--The second road who built that?
A--I don't know; I have been told Keefe.
Q--What other improvements did you and Fitch enter into?
A--That's is about all of any consequence; we went and turned a little stream about fifteen minutes; Mr Fitch and me went out prospecting for mineral; we were two days gone; we went right around the Sulphur Mountain, but we found no more springs.
Q--You did not do anything else after you were in partnership that you recollect of?
A--No.
Q--You have told us all you recollect doing?
A--Yes.
Q--Who first made the proposition that you should sell out?
A--I did to Fred Woodworth.
Q--Why did you want to sell out?
A--Because I was going to B. C. with Mr Woodworth to operate on the Williams Creek at Cariboo.
Q--What was your proposition to Woodworth?
A--I wanted to sell him my share; I did not mention McCardell's

name at all to [illegible]
Q--What did you ask [illegible]
A--I asked him $1,000 [illegible] much, and I said Will [illegible] Woodworth about it and he [illegible] want to sell we will buy; don't sell [illegible] went into the shack and wrote out a [illegible] each and $1,000 when the Government acknowledged it. He [illegible] risk the $500; he wrote the agreement and I signed it. He said "Have you got a power of Attorney from McCardell?" I said I Have not" but I signed the agreement.
Q--Did you read over the agreement?
A--I did not.
Q--You signed it?
A--Yes;
Q--Why did Mr Woodworth ask you that question?
A--I don't know but to sign the agreement.
Q--Why did he ask you that?
A--I don't know; I did not know McCardell's name was in it until afterwards when I saw it, and I signed my name and Mr Woodworth said "Sign McCardell's name there" and I signed it. I told Mr. Woodowrth that I had a letter from McCardell to do the best I could do with the springs; Mr Woodworth gave me a note, and the understanding was that he was to give me cash, and he would go to Calgary and get the money, and I went right along with him to Calgary, and Mr Woodworth says I cannot get the money to-night, and the next day I could not get; he said that he was waiting for $2,000 coming to pay his expenses, and the next day Mr Woodworth came along with a different agreement altogether to the one I had and he went into Murnoch's Harness Shop and I signed it; Lambert and another man were the witnesses.
Q--Did you sign McCardell's name to it?
A--[illegible]
Q--Why?
A--Because I thought the Government [illegible] and give it to me.
Q--Why should you come to that conclusion?
A--Because the Government did not give me satisfaction, and Mr Woodworth was doing the business and taking everything in his own hand.
Q--Why did you think the Government would not recognize you?
A--I don't know, only that we did not get sufficient satisfaction to tell us whether they would or would not, and that was the reason I held so cheap.
Q--You intended to sell McCardell's interest [illegible]
A--Yes, but McCardell Mr Woodworth did not [illegible] to us properly at Mr Murdoch's. He gave [illegible] $500, which I never heard from [illegible] one cent from Mr Woodworth, nor will we ever get it.
Q--When were you to get the money after signing this?
A--He was to pay me the money right away.
Q--Is'nt it usual to get paid before you sign documents?
A--I don't know; when I signed this I expected to get it at Calgary, and I did not, and when I signed the [illegible] to get the money that afternoon, or the next day, that afternoon I depended on; I spent [illegible] for the money and he told me could not raise it and he [illegible] to get it [illegible] pay his ex-

1186

[illegible] destroyed it?

Q--Do you know whether that first assignment was executed under seal?
A--I don't know; I never seen anybseal on it, and I never saw it again as I recollect.
Q--As to the other you say that was drawn out in Calgary?
A--Yes.
Q--The day you went there?
A--No; a day or two afterwards; I think I had been in Calgary 8 days and Mr Woodworth came up here and I saw him when he was going back.
Q--The time you went down to sign the last assignment you and Mr Woodworth went down together?
A--Yes.
Q--How long did he remain there?
A--I don't recollect.
Q--Was it the day he went away that this last assignment was executed by you?
A--No, I think not; I think it was the day before he went away.
Q--Are you accustomed to signing documents of that kind?
A--No; I did not know anything about it.
Q--Do you know the legal effect of instruments of that kind?
A--No. It is the first document that I ever signed.
Q--You mean of the conveyance or interest in land?
A--Yes.
Q--Did Mr Woodworth ask you to read this document when he wrote it out?
A--No.
Q--How did he come to read it to you?
A--When he came into Murdoch's, harness maker, he read it over, and it was about noon and he seemed to be in a great bluster?
Q--You saw it in the Land Office afterwards?
A--Yes;
Q--You had time to consider over it?
A--Yes;
Q--If you had read it at the time you signed it would you have signed it?
A--I would not, because it acknowledged receipt of $1500 and I had never received one cent of it from Mr Woodworth.
Q--Did you know at that time that it would convey Hall and Grierson's interest?
A--No; I told Mr Woodworth, the last word at the shack, that he must deal fair with Hall and Grierson.
Q--Did you think it transferred Hall and Grierson's interest?
A--No.
Q--To whom did you think it extended?
A--To McCardell and me; I told him I had no power of attorney from McCardell, but I told him I had a letter from McCardell to do the best I could with the springs.
Q--To sell the springs?
A--No.
Q--What was the purport of his letter?
A--I cannot say.

Q--Did Mr Woodworth ask you to read this document when he wrote it over?

A--No.

Q--How did he come to read it to you?

A--When he came into Murdoch's, harness maker, he read it over, and it was about noon and he seemed to be in a great hurry.

Q--You saw it in the Land Office afterwards?

A--Yes;

Q--You had time to examine over it?

A--Yes;

Q--If you had read it at the time you signed it would you have signed it?

A--I would not, because it acknowledged receipt of $1500 and I never received one cent of it from Mr Woodworth.

Q--Did you know at that time that it would convey Hall and Grierson's interest?

A--No; I told Mr Woodworth, the last word at the shack, that he must deal fair with Hall and Grierson.

Q--Did you think it transferred Hall and Grierson's interest?

A--No.

Q--To what did you think it extended?

A--To McGarvell and me; I told him I had no power of attorney from McGarvell, but I told him I had a letter from McGarvell to do the best I could with the springs.

Q--To sell the springs?

A--No.

Q--What was the purport of his letter?

A--I cannot say.

1186

Q--Did he speak about coming down in the spring?
A--Yes;
Q--So that the purport would be that he intended to come down in the springs?
A--Yes; he spoke about coming down in the spring.
Q--Could you understand that that letter authorised you to sell?
A--No.
Q--Did you understand that it meant to do the best you could and that he was coming down in the fall to make further improvements?
A--Yes;
Q--With regard to signing McCardell's name what was said?
A--Nothing, only I signed my own name, and Mr Woodworth said "Sign McCardell's name here".

Mr Woodworth objects to the Counsel leading the witness.

Mr Loughead claims that the strict rule of evidence does not apply to this investigation and says it is cross-examination.
Q--At the time you signed McCardell's name had you any knowledge of what legal power required to be signed in your McCardell's name before you signed his name?
A--No, not what amount of power, but I thought I would have to have some power of attorney, and I told Mr Woodworth that I had not a power of attorney but I had a letter, and I told Mr Woodworth that I had a letter to do my best with the springs or something to that effect; I do not recollect what.
Q--When you executed this assignment you have already stated you did not receive any consideration?
A--I did not.
Q--And have not received any since?
A--I have not, not one cent from Mr Woodworth.
Q--I think you stated in your examination-in-chief Mr Woodworth gave you a note?
A--Yes;
Q--What did you do with it?
A--I returned it to Mr Fitch and I wrote across it so that it would be no use to anybody else; I asked him for the money and I could not get it, and I returned the note; I did not think I would let him have anything else to do with the springs.
Q--Mr Fitch states that he offerred to give you money; is that correct?
A--It is not. He never offerred me one cent except $2 that he owed me, and I did not want him to give me that.
Q--He did not tender you any money?
A--No.
Q--Did he ever make any statement to you that he would pay you?
A--No he did not.
Q ---Upon your having executed this assignment what then took place with reference to McCardell? Did you find McCardell after you had done it?
A--McCardell came down and I saw him and he was angry about it.
Q--What took place between you and McCardell?

Mr Woodworth:---I submit that is not evidence here.
Q--After executing the assignment what did you do directly afterwards?

1186

A--I went to the Lands Office and I seen this agreement and I seen it was a different agreement to what I had understood it, and I objected to Mr Woodworth at once, and I seen that he had fooled me and I went and objected to it at once, and I notified Mr Boyd, and Mr Burgess, the Minister of the Interior, I don't know as it was directed to Mr Burgess particularly.

Mr Loughead (to the Commissioner) If these protests are in the Head Office there is no use going on with the evidence on this point.

Mr Pierce:--They are soon there.

Q--You both telegraphed and sent protests?
A--Yes;
Q--After this assignment was executed did you go to Williams Creek as was arranged with Mr Woodworth?
A--No; Mr Woodworth run away to Ottawa and left me there. I don't think he had any idea of going there.
Q--I suppose you are familiar with the improvements that were made at the springs that Mr Woodworth speaks of?
A--Yes; I assisted in making them;
Q--Were you working there all the time?
A--Yes I was.
Q--There is a schedule of expenditure put in in Mr Woodworth's claim: purchase on springs $1500; did you receive any money with regard to that purchase?
A--I did not receive a single cent.
Q--Did you know of any wire cable put up on the ferry?
A--Never put up, but I was told it was sent here and sent back.

Mr Woodworth objected to this.

Q--It was not put up?
A--No.
Q--Do you know about material for the hotel being put up?
A--I heard Mr Woodworth bargain for one and it was torn down, but not put up.
Q--What would be the value of the survey and road?
A--I estimated the value of the road about $50, and clearing $5,00.
Q--How much in the whole worth?
A--Not worth more than $60, or $65. I will do it for that any time.
Q--Particularly you would do it for $60?
A--Yes, and I would soon get rich on it.

Mr Woodworth objected to this.
Mr Loughead:--------I am putting this in to show that it does not strengthen his claim.
Q--There is personal attendance of $2.50 a day----

The Commissioner:--You need not ask that question: he could not tell what Mr Woodworth's time is worth.

Q--Who exercised personal supervision over the road?
A--Mr Fitch would come down and we would talk over things, and

1186

Mr Loughead asks with reference to the original protest.

The Commissioner answers that the originals are at the Department in Ottawa.

Mr Loughead---(to Mr McCabe)---Were you aware or not, whether other parties had discovered that spring previously to your discovering it?

A---No.

Q---Did you see any indications of any discovery being made?

A---No.

Q---Or did you hear of any at the time?

A ---No.

By Mr. Commissioner:---

Q---When did you first claim that spring?

A---In March 1888.

Q---The measure you were ever to it before was sawing the steam from the Spray River?

A---Yes.

Q---So that you cannot say at that time that there was nobody there?

A---No, only what my partner told me when he came home.

Q---Did you ever authorize anyone to proceed to Ottawa for you in this case?

A---Yes; I gave Mr Hall power of attorney to proceed to Ottawa and make application for my claim and McCardell's.

Q---When?

A---Last summer.

Q---Do you know the date?

A---No.

Q---Do you know Mr Hall proceeded to Ottawa for that purpose?

A---Yes.

Q---Do you know whether he made application?

A---Yes, he told me he did when he came back.

Q---This was previous to the transactions by you and Mr Woodworth?

A---Yes.

CROSS---EXAMINED ---------BY-----Mr.------WOODWORTH.

where I suggested a change it would be made, or where he would suggest one it would be made.
Q--Will you explain why after the execution of this assignment you did not put in a sworn declaration until the present time?
A--I don't know why.
Q--Why didn't you make a Statutory Declaration after?
A--I did not understand it was necessary.
Q--Your evidence has never been taken under oath before?
A--No.

The investigation was now adjourned till Two O'Clock, when it was again resumed.

Mr Loughead asks with reference to the original protests.

The Commissioner answers that the originals are at the Department in Ottawa.

Mr Loughead---(to Mr McCabe)----Were you aware or not, whether other parties had discovered that spring previously to your discovering it?
A--No.
Q--Did you see any indications of any discovery being made?
A--No.
Q--Or did you hear of any at the time?
A ---No.

By Mr. Commissioner;---
Q--When did you first visit that spring?
A--In March 1885.
Q--The nearest you were ever to it before was seeing the steam from the Spray River?
A--Yes.
Q--So that you cannot say at that time that there was nobody there?
A--No, only what my partner told me when he came home.
Q--Did you ever authorise anyone to proceed to Ottawa for you in this case?
A--Yes; I gave Mr Hall power of attorney to proceed to Ottawa and make application for my claim and McCardell's.
Q--When?
A--Last summer.
Q--Do you know the date?
A--No.
Q--Do you know Mr Hall proceeded to Ottawa for that purpose?
A--Yes.
Q--Do you know whether he made application?
A--Yes, he told me he did when he came back.
Q--This was previous to the transactions by you and Mr Woodworth?
A--Yes.

CROSS---EXAMINED ---------By-----Mr.-----WOODWORTH.

1186

Q--You have stated, at the Hot Springs one day you stated to Mr Frederick Woodworth that you were going to sell out the hot springs and get out of the country?
A--Yes, I would sell to him and I was going away.
Q--Did you state to me, or Mr. Fitch that you were going to get out at all hazzards?
A--I don't remember stating it to Fred; I did to Mr Fitch. when I was going with him and you to B. C.
Q--Did you say you were going out not to come back again?
A--Yes;
Q--Had'nt he abandoned his intention of going to British Columbia?
A--No.
Q--Did you not know that I was going back to Ottawa to see about these springs?
A--I did not; you never told me.
Q--Did you tell me that you were bound to get out of the country at all hazzards?
A--No I don't recollect it; I was going to B. C. with you.
Q--When you spoke to Frederick Woodworth you were alone with him?
A--I don't recollect whether there was anybody else there or not.
Q--Your memory is that poor?
A--I recollect of Fitch being away, and you being away, that you never stopped a night there.
Q--I am asking you whether anybody else was present besides Fred the day you signed the papers, over in the shack?
A--That is a different thing altogether.
Q--Were you talking to Frederick that day alone?
A--I think Fitch was there.
Q--Was he there that day?
A--I think it was the day before that I told him;
Q--Was there anybody else there?
A--I don't recollect if there was anybody else there; I have forgotten it;
Q--What is your impression?
A--I have no impression one way or the other.
Q--What was operating on your mind when you spoke about selling to him?
A--That is none of your business.
Q--Did you tell him then that you were going away from the country and would not come back?
A--I don't recollect telling him any such thing, nor you.
Q--Will you say you did not?
A--No, but I don't recollect. There are a great many things said that a man cannot fetch to memory.
Q--Did he come over then and see me?
A--He seen you some time when I was not present.
Q--Did I go over and see you with him?
A ---Yes came over.
Q--Did I ask you if it was true that you were going to sell out and go away?
A--No, I don't think you did.
Q--He was present with me when I asked you?
A--Mr Fitch.
Q--Did you tell me that you would sell out?
A--Yes;

Q---I've stated, at the Hot Springs one day you stated to Mr Frederick Woodworth that you were going to sell out the hot springs and get out of the country?

A---Yes, I would sell to him and I was going away.

Q---Did you state to me, or Mr. Fitch that you were going to get out at all hazzards?

A---I don't remember stating it to Fred; I did to Mr Fitch, when I was going with him and you to B. C.

Q---Did you say you were going out not to come back again?

A---Yes;

Q---Had'nt be abandoned his intention of going to British Columbia?

A---No.

Q---Did you not know that I was going back to Ottawa to see about these springs?

A---I did not; you never told me.

Q---Did you tell me that you were bound to get out of the country at all hazzards?

A---No I don't recollect it; I was going to B. C. with you.

Q---When you spoke to Frederick Woodworth you were alone with him?

A---I don't recollect whether there was anybody else there or not.

Q---Your memory is that poor?

A---I recollect of Fitch being away, and you being away, that you never stopped a night there.

Q---I am asking you whether anybody else was present besides Fred the day you signed the papers, over in the shack?

A---That is a different thing altogether.

Q---Were you talking to Frederick that day alone?

A---I think Fitch was there.

Q---Was he there that day?

A---I think it was the day before that I told him;

Q---Was there anybody else there?

A---I don't recollect if there was anybody else there; I have forgotten it;

Q---What is your impression?

A---I have no impression one way or the other.

Q---What was operating on your mind when you spoke about selling to him?

A---That is none of your business.

Q---Did you tell him then that you were going away from the country and would not come back?

A---I don't recollect telling him any such thing, nor you.

Q---Will you say you did not?

A---No, but I don't recollect. There are a great many things said that a man cannot fetch to memory.

Q---Did he come over then and see me?

A---He came some time when I was not present.

Q---Did I go over and see you with him?

A ---Yes came over.

Q---Did I ask you if it was true that you were going to sell out and go away?

A---No, I don't think you did.

Q---He was present with me when I asked you?

A---Mr Fitch.

Q---Did you tell me that you would sell out?

A---Yes;

1186

Q---Did I ask you if you had told Pretorius so?

A---Yes.

Q---What did you say?

A---I said I did.

Q---Did I ever persuade you not to go?

A---No. You told me not to sell to anybody else, but you would buy, but I don't mind whether you tried to persuade me not to go, because I was going to British Columbia with you, and you were coming along.

Q---I tried to persuade you not to go?

A---I don't mind you doing so; you told me not to sell to anybody else for you would buy.

Q---I had told you that before that time?

A---I don't remember.

Q---Did I ask Lowe can prepare the paper?

A---Yes.

Q---Where?

A---In the check.

Q---Mr Fitch was present?

A---He was.

Q---Did you see the paper?

A---I saw them, when you prepared them you read them over.

Q---McCardell's name was there?

A---Yes.

Q---I asked you if you had a right to sign McCardell's name?

A---Yes; I told you I had not; I told you I had a letter from him to do the best I could with the, signing, but I won't recollect the exact words.

Q---Did you use the words "To dispose of the Springs as you thought best"?

A---No. I never used those words. McCardell never said that to me, and never wrote such a thing to me.

Q---Have you got that letter to you from McCardell?

A---No, but I wish I have.

Q---Did you tell Mr. Burns that Mr McCardell had written to you to dispose of the Springs as you thought best?

A---I never did, nor did I tell you that?

Q---Did you tell him?

A---I never did.

Q---Did you sign a document previous to that for McCardell?

A---I did, to M- Hall.

Q---Where was your authority to do that?

A---I had no more authority to do that than I have to do now.

Q---You signed McCardell's name to the deed to Hall and Grierson?

A---I had no authority.

Q---You said you had no more authority to sign the agreement between Hall and Grierson and yourself than to sign mine? You signed it on the same authority as you did mine?

A---No more than this---McCardell wrote to me to do my best to dayslop the Springs; he never wrote to me to dispose of the Spring at all, and that is all the ground I had to sign the agreement between Hall and Grierson.

Q---Do you remember the exact words he wrote to you?

A---I don't any more than that.

Q---You think, under the letter he wrote to you, that you had

Q--Did I ask you if you had told Frederick so?

A--Yes.

Q--What did you say?

A--I said I did.

Q--Did I ever persuade you not to go?

A--No. You told me not to sell to anybody else, but you would buy, but I don't mind whether you tried to persuade me not to go, because I was going to British Columbia with you, and you were coming along.

Q--I tried to persuade you not to go?

A--I don't mind you doing so; you told me not to sell to anybody else for you would buy.

Q--I had told you that before that time?

A--I don't remember.

Q--Did I sit down and prepare the papers?

A--You did.

Q--Where?

A--In the shack.

Q--Mr Fitch was present?

A--He was.

Q--Did you see the papers?

A--I saw them, when you prepared them you read them over.

Q--McCardell's name was there.

A--Yes.

Q--I asked you if you had a right to sign McCardell's name?

A--Yes; I told you I had not; I told you I had a letter from him to do the best I could with the Springs, but I won't recollect the exact words.

Q--Did you use the words"To dispose of the Springs as you thought best"?

A--No. I never used those words. McCardell never said such a thing to me, and never wrote such a thing to me.

Q--Have you got that letter to you from McCardell?

A--No, but I wish I had.

Q--Did you tell Mr. Burke that Mr McCardell had written to you to dispose of the Springs as you thought best?

A--I never did, nor did I tell you that.

Q--Did you tell him?

A--I never did.

Q--Did you sign a document previous to that for McCardell?

A--I did, to Mr Hall.

Q--Where was your authority to do that?

A--I had no more authority to do that than I had to do yours.

Q--You signed McCardell's name to the agreement between you & Hall and Grierson and McCardell to the same authority that you sign to mine?

A--I had no authority.

Q--You said youhad had no more authority to sign the agreement between Hall and Grierson and yourself than to sign mine? You signed it on the same authority as you did mine?

A--No more than this--McCardell wrote to me to do my best to develop the Springs; he never wrote to me to dispose of the Spring at all, and that is all the ground I had to sign the agreement between Hall and Grierson.

Q--Do you remember the exact words he wrote to you?

A--I don't any more than that.

Q--You thought, under the letter he wrote to you, that you had

a right to sign his name in an agreement between yourself and Hall and Grierson, in which you disposed of a part of his interest, as you did in that agreement?
A--Yes to develop the springs and get a building on it.
Q--Whatever that agreement was you did it under the letter from McCardell?
A--I did it on my own responsibility.
Q--Did you sign Hall and Grierson's agreement on that responsibility?
A--On my own responsibility;
Q--Did you tell Hall and Grierson that time that you had a letter from McCardell that you could sign his name?
A--I don't remember telling him anything about it.
Q--Did you tell anybody that you had authority to sign McCardell's name?
A--No.
Q--Had that agreement a seal on it?
A--It had.
Q--Did you put McCardell's name opposite that seal?
A--Yes;
Q--Had the document you signed for me any seal to it?
A--I did notsee it;
Q--And yet you signed a document under seal signing McCardell's name?
A--Yes, because Grierson saw McCardell, but I signed it on my own responsibility; it was my own responsibility to sign that; I thank was taking the responsibility upon myself of signing that without a power of attorney from McCardell.
Q--Did you tell me at the springs that day you signed the paper that you had power to sign his name?
A--I did not. I said I had a letter from McCardell to do my best with the springs.
Q--Was that before you signed the papers?
A--Yes;
Q--And after you told me that you signed the papers?
A--Yes.
Q--Was that on your own responsibility?
A--Yes, because I wrote my own name and you said " Put McCardell's name there" (pointing with his finger).
Q--I told you where to write his name?
A--Yes.
Q--That was after you told me you had letters from McCardell?
A--I never told you that I had a power of attorney from McCardell, and I never told you that I had a letter authorising me to sign it.
Q--Did'nt you sign McCardell's name after you told me that you had a letter from McCardell?
A--I told you I had a letter from him to do my best with the spring, but I never told you that I had a power of attorney from him or a letter authorising me to sign his name.
Q--Did you tell me that some of that money was to go to McCardell?
A--Certainly I did.
Q--Did you tell me that after you signed?
A--Certainly he had to get some of the money.

a right to sign his name in an agreement between Yourself and Hall and Grierson, in which you disposed of a part of his interest, as you did in that agreement?

A---Yes to develop the springs and put a building on it.

Q---Whatever that agreement was you did it under the letter from McGardell?

A---I did it on my own responsibility.

Q---Did you sign Hall and Grierson's agreement on that responsibility?

A---On my own responsibility;

Q---Did you tell Hall and Grierson that time that you had a letter from McGardell that you could sign his name?

A---I don't remember telling him anything about it.

Q---Did you tell anybody that you had authority to sign McGardell's name?

A---No.

Q---Had that agreement a seal on it?

A---It had.

Q---Did you put McGardell's name opposite that seal?

A---Yes;

Q---Had the document you signed for me any seal to it?

A---I did notsee it;

Q---And yet you signed a document under seal signing McGardell's name?

A---Yes, because Grierson saw McGardell, but I signed it on my own responsibility; it was my own responsibility to sign that; I took was taking the responsibility upon myself of signing that without a power of attorney from McGardell.

Q---Did you tell me at the springs that day You signed the paper that you had power to sign his name?

A---I did not. I said I had a letter from McGardell to do my best with the springs.

Q---Was that before You signed the papers?

A---Yes;

Q---And after you told me that you signed the papers?

A---Yes.

Q---Was that on your own responsibility?

A---Yes, because I wrote my own name and you made " Put McGardell's name there" (pointing with his finger) .

Q---I told you where to write his name?

A---Yes.

Q---That was after you told me you had letters from McGardell?

A---I never told you that I had a power of attorney from McGardell, and I never told you that I had a letter authorizing me to sign it.

Q---Did'nt you sign McGardell's name after you told me that you had a letter from McGardell?

A---I told you I had a letter from him to do my best with the spring, but I never told you that I had a power of attorney from him or a letter authorizing me to sign his name.

Q---Did you tell me that some of that money was to go to McGardell?

A---Certainly I did.

Q---Did you tell me that after you signed?

A---I may have said to you some of the money.

1186

Q--Did you understand that you were giving them your rights and McCarthy's rights?

A--I did.

Q--Did you see the words "having received $..." at the start?
A--I did not hear it, if I had I would not have signed it.
Q--Did I read those words to you?
A--I did not hear it; if I had I would not have signed it.
Q--You got a note of hand for $500?

A--Yes;

Q--You went down to Calgary?

A--Yes.

Q-- Did you sign another document there?
A--Yes; and you did not read half of it to me, and it was different to the other one.
Q--Do you swear that on your oath?

A--Yes;

Q--How was it different?
A--It stated on the receipt of $1500.
Q--Do you know that that is the form of all documents relating to the transfer of land?
A--No. You told me that you copied from another document; I do not recollect taking the document in my hand; I do not recollect taking it up and looking at it; I recollect you reading it.
Q--Do you recollect taking it up yourself and reading it?
A--No.
Q--It was a different document to what I read to you?

A--Yes.

Q--That was the reason----because it stated that you had received $1500?

A--Yes.

Q--You knew you were transfering all your rights?

A--Yes;

Q--And you know you were transferring all McCardell's?

A---Yes.

Q--You signed a document to Hall and Grierson?

A--Yes;

Q--If the grant was to the discoverers it would be made to you and not to them?
A--I don't know; I don't understand it at all.
Q--You did not sign to Hall and Grierson the springs, or discoverers' rights?
A--The half of it.
Q--The half of the discoverers' rights?
A--The half of them.
Q--Did you put that document in such a shape that the Government could make out the grant to them?
A--I don't know how the law runs; I don't carry as much law as you do.
Q--You t old me Hall and Grierson was to be considered?
A--Yes.
Q--What did you tell me to do with them?
A--I told you to do what was square and fair with them---did'nt I?

Mr Woodworth-----You are not asking me questions; I am asking you questions.

Q--Who prepared this letter September 9th. 1885?
A--Mr Logheed.

1186

Q--And you signed it?

A--I did.

Q--Was Mr Hall in Calgary at that time?

A---He was in Calgary I believe; whether he was present or not I don't recollect.

Q--There were some telegrams went to Ottawa about the same time with your names to them?

A--Yes;

Q--Who wrote those telegrams out?

A--I don't recollect whether I wrote them or not; I don't know who wrote them; I think I signed them, in fact I know I signed them, in fact I know I signed them and approved of them, but I don't recollect who wrote them;

Q--Who wrote tgem for you?

A--I think it was Mr Hall; I think he did, but I won't ~~swear~~ swear that he did, but I think it was him, if I recollect right who wrote the telegrams, but I approved of them.

Q--Was there a warrant out for your arrest?

A--I don't think so; I did not see any warrant.

Q--Did Mr Hall tell you tht they had a warrant out for your arrest?

A--I don't recollect him telling me so.

Q--Did you come and tell me that there was a warrant issued for your arrest?

A--I did;

Q--On whatbauthority did you tell me that?

A--McCardell told me that there was a warrant out for me.

Q---Did he tell you before you signed your name to this paper telegram?

A--Yes.

Q--What was the warrant for?

A--For signing has name without authority.

Q--Why did'nt they get out a warrant for your signing his name to the agreement with Hall and Grierson?

A--May be there was; I don't know.

Q--I want to read this letter of the 9th. of September; did you, when you signed this document, or, rather you had already signed McCardell's name to the previous document to Hall and Grierson, and you state here in your letter of the 9th. of September that you would not have signed this , only you were prevailed upon by Mr Woodworth that you had the right to sign it. Did anybody prevail upon you when you signed his name to the Hall and Grierson agreement?

A--No. After I signed my own name you pointed out and said "sign McCardell's name there" but I never told you that I had any authority to sign it.

Q--When you signed this( reading document) The said D. B. Woodworth read to me what purported to be----------to what was read to me aforesaid?

A--So it is.

Q--Where?

A--With reference to this $1500.

Q--Did you then point out to Mr Loughead that that was the material difference?

A--I think I did, to Mr Loughead.

Q--Did you tell Mr Hall?

A--I don't recollect.

Q---And you signed it?

A---I did.

Q---Was Mr Hall in Ogdgry at that time?

A----He was in Ogdgry I believe: whether he was present or not I don't recollect.

Q---There were some telegrams went to Ottawa about the same time with your names to them?

A---Yes;

Q---Who wrote those telegrams out?

A---I don't recollect whether I wrote them or not; I don't know who wrote them; I think I signed them, in fact I know I signed them, in fact I know I signed them and approved of them, but I don't recollect who wrote them:

Q---Who wrote them for you?

A---I think it was Mr Hall; I think he did, but I won't swear swear that he did, but I think it was him, if I recollect right who wrote the telegrams, but I approved of them.

Q---Was there a warrant out for your arrest?

A---I don't think so; I did not see any warrant.

Q---Did Mr Hall tell you the they had a warrant out for your arrest?

A---I don't recollect him telling me so.

Q---Did you come and tell me that there was a warrant issued for your arrest?

A---I did;

Q---On what authority did you tell me that?

A---McCardell told me that there was a warrant out for me.

Q ---Did he tell you before you signed your name to this paper telegram?

A---Yes.

Q---What was the warrant for?

A---For signing has name without authority.

Q---Why didn't they get out a warrant for your signing his name to the agreement with Hall and Grierson?

A---May be there was; I don't know.

Q---I want to read this letter of the 9th. of September: did you, when you signed this document, or, rather you had already signed McCardell's name to the previous document to Hall and Grierson, and you state here in your letter of the 9th. of September that you would not have signed this , only you were prevailed upon by Mr Woodworth that you had the right to sign it. Did anybody prevail upon you when you signed his name to the Hall and Grierson agreement?

A---No. After I signed my own name you pointed out and said "sign McCardell's name there" but I never told you that I had any authority to sign it.

Q---When you signed that reading document) The said D. B. Woodworth read to me what purported to be----------------to what was read to me aforesaid?

A---So it is.

Q---Mer?

A---With reference to this $1800.

Q---Did you then point out to Mr Longmore that that was the material difference?

A---I think I did, to Mr Longmore.

Q---Did you tell Mr Hall?

A---I don't recollect.

1186

Q---Did you tell Mr Longhead that that was the only difference?
A---I pointed that out for one place where it was different.
Q---Did you point out anything else?
A---I don't recollect.
Q---Was that the reason you signed this paper of the 6th. or Sept-
tember?
A---Yes, and because you ran away and did'nt pay me; you started
off to get the Springs and do me out of them.
Q---Did'nt you say the reason you signed this document was because
there were words in it which were not true with regard to the
$1,500?A---Yes; you did not pay me and you did not intend to give
it to me.

Q---You did not expect to get the money until after you signed the
document?
A---No; I never got it.
Q---Did I tell you when you came down it was good you came down
because the form at the Springs was not a legal form, and the
one we got was a legal form at Calgary?
A---You told me something like that.
Q---You wrote me two or three letters at Calgary?
A---I wrote you a letter at Calgary.
Q---You wrote Mr Fitch one?
A---Yes.
Q---Is that your writing? ( showing witness a letter).
A---That is.
(letter produced but not filed now)
Q---Where was that written?
A---In Calgary.
Q---After you had signed this document conveying your rights?
A---Yes.

The letter was marked as Exhibit"X"and was as follows:--

" D. B. Woodworth , Esq

Will wait out of Sight. Will talk by letter Next

will be Dereto-morrow and I will be out of sight I would like you

to do all you can to get be ready but I will not go until I am
fully prepared

Yours Very Truly

Frank McCabe

I could not see you, so I told James Greer as I was going

to start in the morning Early with a horse you bought.
Mr Longhead says the letter must be read before it can be re-
ferred to in the evidence; immediately it becomes an Exhibit it
has to be read.
The letter was read to witness.
Q---About what time of the day was it that you signed the docu-
ment in Mrrocain office?
A---I think it was about noon.
Q---Did I leave you in Mrdock's shop while I went to get a wit-

Q--Did you tell Mr Lougheed that that was the only difference?
A--I pointed that out for one place where it was different.
Q--Did you point out anything else?
A--I don't recollect.
Q--Was that the reason you signed this paper of the 6th. of September?
A--Yes, and because you ran away and did'nt pay me; you started off to get the Springs and do me out of them.
Q--Did'nt you say the reason you signed this document was because there were words in it which were not true with regard to the $1,500?A--Yes; you did not pay me and you did not intend to give it to me.

Q--You did not expect to get the money until after you signed the document?
A--No; I never got it.
Q--Did I tell you when you came down it was good you came down because the form at the springs was not a legal form, and the one we got was a legal form at Calgary?
A--You told me something like that.
Q--You wrote me two or three letters at Calgary?
A--I wrote you a letter at Calgary.
Q--You wrote Mr Fitch one?
A--Yes.
Q--Is that your writing? ( shewing witness a letter).
A--That is.
(Letter produced but not filed now)
Q--Where was that written?
A--In Calgary.
Q--After you had signed this document conveying your rights?
A--Yes.

The letter was marked as Exhibit"X"and was as follows;--

" D. B. Woodworth , Esq

Will wait out of Sight. Will talk by Letter Hall will be hereto-morrow and I will be out of Sight I would like you to do all you can to git be ready but I will not go untill I am fulley prepared

Youre Very Truly

Frank McCabe

I could not see you, so I told James Grierson I was going to start in the morning Early with a horse you bought.

Mr Lougheed says the letter must be read before it can be referred to in the evidence: immediately it becomes an Exhibit it has to be read.

The letter was read to witness.

Q--About what time of the day was it that you signed the document in Murdoch's office?
A--I think it was about noon.
Q--Did I leave you in Murdoch's shop while I went to get a wit-

witness?

A--You got a witness right in the store.
Q--Didn't I have to go out and get one?
A--No I don't recollect of your going out of the shop till I signed it.
Q--Will you read this letter yourself?
A--You read it.

Mr Commissioner read the letter again.

Q--I bought no horse---did I?
A--No, but you tried to buy one.
Q--I want you to answer me?
A--I will answer you as I please.
Q--Did you ever get any answer to that letter?
A--I did not because you left and came up here and left me down there.
Q--Where did your address this letter?
A--To the Grand Central Hotel.
Q--This was after you signed the papers here, and in Calgary?
A--Yes, but I was waiting for you to get me the money.

By The Commissioner;---------

Q--What do you mean by the words "be ready" in Exhibit "X"?
A--Get me ready---pay me the money.
Q--This document which was under seal to Hall and Grierson, and to which you signed McCardell's name, was with regard to these very Hot Springs?

A--Yes.

Q--Did you then tell me ( Mr. Woodworth) that you had signed McCardell's name to that paper?
A--I think I did; I told you that I gave an agreement, and you knew it; I don't know whether I told you that particularly.
Q--Did you generally?

No answer given by witness.

Q--You never got any answer to "X"?
A--No. You would never write a letter to me.
Q--You saw me in Calgary on your way home?
A--Yes. As soon as you got there you tried to beat me, and you tried to beat me, and you tried to skip out. You know that.
Q--You never got any answer from me to that letter.
A--No.

By Mr. David KEMP:---------

Q---What time did you work for Kirkendall after you came back from the States, after you left B. C.?
A--I never worked for Kirkendall in my life; I worked for Simms & Armour, where Kirkendall was Time-keeper.
Q--What time of the year was that.
A---, worked for him some time in May, and worked till August.
Q--What year?
A--In 1882.
Q--After you left British Columbia?
A--No it was not; it was before I went to B. C. I might be mi-

Cause?

A--You had a witness right in the store.
Q--Didn't I have to go out and get one?
A--No I don't recollect of your going out of the shop till I signed it.
Q--Will you read this letter yourself?
A--You read it.

Mr Commissioner read the letter again.

Q--I bought no horse---did I?
A--No, but you tried to buy one.
Q--I want you to answer me?
A--I will answer you as I please.
Q--Did you ever get any answer to that letter?
A--I did not because You left and came up here and left me down there.
Q--Where did you address this letter?
A--To the Grand Central Hotel.
Q--This was after You signed the papers here, and in Calgary?
A--Yes, but I was waiting for you to get me the money.

By The Commissioner:----------

Q--What do you mean by the words "No Penny" in Exhibit "X"?
A--Get me ready---pay me the money.
Q--This document which was under seal to Hall and Grierson, and to which you signed McGarvill's name, was with regard to these very Hot Springs?
A--Yes.
Q--Did you then tell me ( Mr. Woodworth) that you had signed McGarvill's name to that paper?
A--I think I did; I told you that I gave an agreement, and You knew it; I don't know whether I told you that particularly.
Q--Did you get any?
No answer given by witness.
Q--You never got any answer to "X"?
A--No. You would never write a letter to me.
Q--You saw me in Calgary on your way home?
A--Yes. As soon as you got there you tried to bust me, and You tried to beat me, and you tried to skip out. You know that.
Q--You never got any answer from me to that letter.
A--No.

By Mr. David RECD:----------

Q---What time did you work for Kirkendall after you came back from the States, after you left B. C.?
A--I never worked for Kirkendall in my life; I worked for Simms & Court, where Kirkendall was Time-keeper.
Q--What time of the year was that.
A---. worked for him some time in May, and worked till August.
Q--We on Peace?
A--In 1882.
Q--After you left British Columbia?
---No it was not; it was before I went to B. C. I might be mis-

1186

Brooklyn, N.Y.

taken, but it was between Dog ... Creek.

Q---Did you say in your evidence that you left ... in 1888 down on the Man South-Western Ry.?

A---Yes;

Q---What time did you leave Sand Point?

A---I don't remember.

Q---When did you go to Kitchener?

A---I went for Kitchener in April 1887.

Q---And then you went to Vancouver?

A---Yes, but not to it was in I left there to Victoria. It was in 1888 that I went.

Q---What time did you remain up in this country?

A---In July 1886, I came to Canmore, and remained working on the 16th. or 17th. it was after that. We( meaning himself and Keefe) have been acquainted ever since.

Q---You remember telling me about the Hot Springs?

A---Yes;

Q---Did you ever tell me that you were at the Hot Springs?

A---I did not; I told you that there was a hot spring up there, but I had never been to it.

Q---Did you ever tell me anybody was to it?

A---I don't recollect whether I did or not.

Q---How many times did you cross by that summer to the Hot Springs?

A---I don't know;

Q---How many times------twice?

A---Yes, and a good many more times.

Q---How did you cross the river?

A---We had a raft----Billy McDardell and I.

Q---Do you remember coming up last March?

A--- I remember coming up with Billy Newell;

Q---Where did you stop?

A---We had a shanty.

Q---Did you have a cover on it?

A---Yes there was a cover on it, but you could hardly say that it was comfortable for a man to live in. Every March and I was [illegible] and we put on it; [illegible] of the rooms.

Q---Did Newman and you ever go to the ... Springs that?

A---No; that was the first time I went in.

Q---Was there a blazed line?

A---No.

Q---Did you follow a blazed line?

A---No; we did not see any blazed line; I remember starting the ... way before that you, Shields and Burns being there, and I don't ... [illegible] was left there; we started out and we all met to ... [illegible] ... you were leaving me out of the way.

Q---Are you sure you were there that day at all?

A---Yes I do.

Q---On your oath?

A---Yes;

Q---You say there was no trail from the spring; the time you went there?

A ---I did not.

Brandlen etc

taken, but it was between Gopher Creek
Q--Did you say in your evidence that you laid track in 1883
down on the Man South-Western Ry?

A--Yes;

Q--What time did you leave Stave Point?

A--I don't remember.

Q--You claim it was in August that you worked for Kirkendall?
A--I worked for Kirkendall in August 1883.
Q--And then you went to Victoria?
A--Yes, but may be it was in 1884 that I went to Victoria. It was
in 1881 that I went.
Q--What time did you remain up in this country?
A--In July 1884, I came to Canmore and commenced working; on the
14th. of July, it was after that. We( meaning himself and Keefe)
have been acquainted ever since.
Q--You remember telling me about the Hot Springs?
A--Yes;
Q--Did you ever tell me that you were at the Hot Springs?
A--I did not; I told you that there was a hot springs up there,
but I had never been to it.
Q--Did you ever tell me anybody was to it?
A--I don't recollect whether I did or not.
Q--How many times did you come up that summer to the Hot springs?

A--I don't know;

Q---How many times-----twice?
A--Yes, and a good many more times.
Q--How did you cross the river?
A--We had a raft----Billy McCardell and I.
Q--Do you remember coming up last March?
A-- I remember coming up with Billy Newell;
Q--Where did you stop?
A--We had a shanty.
Q--Did you have a cover on it?
A--Yes there was a cover on it, but you could hardly say that it
was respectable for a man to live in. Dave Newell and I was
there and we went across the river and got some pine and put on it;
this was in March 1885 when we put the roof, you know on the
shanty, of the house.
Q--Did Newell and you ever go to the hot springs before that?
A--No; that was the first time I went in.
Q--Was there a blazed line?
A--No.
Q--Did you follow a blazed line?
A--No; we did not see any blazed line; I remember starting the
day before that you, Shields and Burke being there, and I don't
know why all was there; we started out and we did not get to the
springs, somehow we were lauding, went out of the way.
Q--Where did you camp that night?

A--I don't know.

Q--Are you sure you were there that day at all?

A--Yes I am.

Q--On your oath?

A--Yes;

Q--You say there was no trail from the springs the time you went
there?
A---I did not.

Q--Did you see your name on the tree when you were there the first day?

A--No,

Q--Who put your name there?

A--Mr Burns.

Q--Why didn't you write your name on there?

A--Because we had a shack here, and I thought one spring was all.

Q--Did you ever write a letter to me?

A--I did; I thought you were a friend of mine at that time and I wrote one told you to do the best you could for me when Mr. Gordon came up.

Q--You would know your own handwriting?

A--Yes I would.

Q--See if that is it ? ( handing witness a document).

A--Yes I acknowledge writing that letter when Mr Gordon was coming up here; I did not know whether I would see him or not and Mr Keefe could do a great deal to help me, and tell Mr. Gordon about the Springs.

The letter was marked "Y" and was

"Canmore, May 7 1885

Dear Friend, David Keefe

I have been to Calgary and I find out by Land agent that Old Sebring has applied for the hot spring and the Land Agent is going up to see whether me or Sebring has the best right to it it will depend a good deal on you if you favour me I will get them and if not I will not get them you understand all

Yours Truly

if I get them I Can Sell to advantage And I will fill your hand
Frank McCune

Canmore"

Q--Didn't Shields send for you the time Gordon was coming up here to escort these men up to the Hot Spring?

A--He did not; he asked me to come up and shew Mr McTavish.

Q--Didn't you go off the same day with Mr. Hall, Dr. Lindsay, of Calgary and Dr. Brett?

A--Mr Gordon came up that day and I did not know that he was going until after Mr Shields had asked me to go up with McTavish, to come down here, and then go to Devil's Lake. Mr Gordon came up here, I go with him because the Government sent him up, and I went down here and left Mr Gordon and the others and I crossed the river on the raft with one Mr Shields said he sent you to [illegible] C. P. R. Officials across.

Q--Who was the first raft built there?

A--I don't know.

Q--Was a raft built there when you came across?

A--There was a raft there of 8 ties.

The letter was marked "Y" and was

"Canmore, May 7 1888

Dear Friend,

David Keefe

I have been to Calgary and I find out

by land agent that Old Spring has applied for the not spring and

the land Agent is going up to see whether me or Spring has the

best right to it It will depend a good deal on you If you

favour me I will get them and if not I will not get them You

remain all

Yours Truly

If I get them I can Sell to advantage And I will fill your hand

Frank McCabe

Canmore"

Q---Didn't Shields send for you the time Gordon was coming up
to encamp these men up to the Hos Spring?
A---He did not; he asked me to come up and claw Mr McTavish.
Q---Didn't you go off the same day with Mr. Hall, Dr. Lindsay, of
Calgary and Dr. Brett?
A---Mr Gordon came up that day and I did not know that he was go-
ing until after Mr Shields had asked me to go up with McTavish.
Q---Where did you go to Devill's Lake. Mr Gordon came
up here, and then go to Devill's Lake. Mr Gordon came
and left Mr Gordon and the others and I cross-
ed the river on the raft with one Mr Shields said he sent you to
some C. P. R. Officials perhaps.
Q---Who was the first built there?
A---I don't know.
Q---Was the raft built there when you came across?
A---I don't know.

1186

Q--Did I have a raft to carry 12 people in August 1884?
A--I don't think there was no raft there until August 1884, and I saw you along the last of July in Canmore, and you didn't come here then.
Q--Didn't I take charge of the Section here on the 30th day of July, 1884?
A--I don't know.

Mr Commissioner----

Q--The first raft that you [illegible] across the River was made when?
A--We made that in the spring of 1884.
Q--Did you ever see anymother means of getting across the river besides that?
A--Mr. Keefe's raft was the next.
Q--When did he make that?
A--I don't know; he was not in the country when we made our's; first raft was Ten or Twelve Logs and it was rowed across by oars at first, and afterwards we put a wire on.
Q--Do you recollect going up to the springs with David Newman ?
A--Yes, I think I did.
(The above question is to Mr Keefe, and the following also)
Q--Do you recollect making the remark to me that you thought you could hold the hot springs on the same claim as you had the lower ones?
A--I could not say; I don't recollect making it.
Q--Did you tell me that P. D. Burke had a share in the Hot Springs?
A--No, because he never had any share in it. Martin McDonald came up here and apparently he had no money and he was in a pretty bad fix and he came across to the springs and I seen Keefe come over then soon afterwards and give him 50 cents and you said you did not know who he was or where he was going or you would not have charged him anything for his breakfast, and then you got a paper and started round and you said you collected $27,50 and I heard how he was and I sent a man up to take care of him and I asked you another time how much you collected, and you said $23. I sent Eli up and I paid him to take care of Martin McDonald and I paid you you for what was got from you $10,00, and I have the receipt here; I think Eli was here for two weeks.
Q--Did you ever hear that I sent a man up to take care of him--that he was not able to get out of bed?
A--No I did not hear anything about it.
Q--You saw me give him back the 50 cents that I charged him for his breakfast?
A--I did; and Dave Newman and I gave him some provisions and a pair of blankets.
Q--Did you know what I did for him?
A--I never heard of your doing anything for him except giving him the money you collected.
Q--Did he have any boots on his feet when he went away?
A--Yes, and you bought them out of the money that you collected.
Q--Did you "turn in" time for him on the C. P. R.?
A--Yes I did; two or three days.
Q--What object had you in saying if I favored you that you would fill my hand?
A--I thought I would do anything for you that I could.

Q--Was'nt it because you thought I had a better claim to the Hit Springs than you of Sebridge?

A--No; it was not.

Q--Do you claim that you can see the springs from the Bow River?

A--I said from the Spray River, and I can see them from here, and I will prove it just now.

to you

**1187**

W-i-l-l-i-a-m Mc.-C-a-r-d-e-l-l D-u-l-y- S-w-o-r-n SAITH:-

My Post Office address is Banff; it was Canmore all winter; I am a single man, Twenty-nine years old; my place of birth is Stratford, Ontario, ; I am still a British Subject; I reached here 4 years 9th. of last March; since then I have lived in Manitoba or the North-West, or British Columbia; my first occupation was working on the construction of the C. P. R. Main Line to the West; I commenced at Gipher Creek; I remained working there for about three months and then I went back to Winnipeg; I was with Simmons and Armitt's outfit, and then we went out to work for R.G Short, putting up a wire fence between Emerson and Winnipeg, and we went into the woods for him that winter getting out cord wood, and we remained working for him until the following Spring, and then we went out on the C. P. R. West again with Simmons & Armitt and remained with them until they came to Calgary and Kirkendall and Hilton bought Simmons & Armitt's outfit and then we went with them and remained in their employ until last September, or the 1st. of October, 1883., and then my brother Tom went back and we met McCabe about September 1883; McCabe was wondering what to do; he had just come from the Coast; ofcourse we had worked with him that fall with Short on the wire fence, and we advised him to get a section and we would go with him on the section for a while, as we expected the road would shut down; I did not go on it with the object of making money, but I wanted to go to

Q--Was'nt it beeau.; you thought I had a better claim to the Hit
Springs than you or Sebridge?
A--No; it was not.
Q--Do you claim that you can see the springs from the Bow River?
A--I said from the Spray River, and I can see them from here, and
I will prove it just now.
to you

1187

M-i-l-l-e-r  Mc.-G-a-r-d-e-l-l  D-u-l-y-  S-w-o-r-n SAITH:-

My Post Office address is Banff; it was Canmore all winter; I am a single man, Twenty-nine years old; my place of birth is Stratford, Ontario, ; I am still a British Subject; I reached here 4 years 8th. of last March; since then I have lived in Manitoba or the North-West, or British Columbia; my first occupation was working on the construction of the C. P. R. Main Line to the West; I commenced at Cipher Creek; I remained working there for about three months and then I went back to Winnipeg; I was with Simmons and Armitt's outfit, and then we went out to work for M.G Short, putting up a wire fence between Emerson and Winnipeg, and we went into the woods for him that winter getting out cord wood, and we remained working for him until the following Spring, and then we went out on the C. P. R. West again with Simmons & Armitt and remained with them until they came to Calgary and Kirkendall and Hilton bought Simmons & Armitt's outfit and then we went with them and remained in their employ until last September, or the 1st. of October, 1883., and then my brother Tom went back to... we met McCabe about September 1883; McCabe was wondering what he and he had just come from the Co ast; ofcourse we had worked with him that fall with Short on the wire fence, and we advised him to get a section and we would go with him on the section for a while, as we expected the road would shut down; I did not go on it with the object of making money, but I wanted to go to

I came back and made the trip over the Spray River I was in British Columbia.

Q--When did you first discover those springs?

A--In 1888.

Q--What month?

A--In November.

Q--How did you come to find them?

A--We came across the River, we ran up with a hand car and we laid off here, and we spotted Sulphur Mountain several times, and we thought we would like to go to the bottom of it, and we made a ferry and crossed the river and we discovered a big pool by the Cave, and the camp and we just went around looking about, and we carved our names on the bark of the trees with a knife; I had not an axe, but I don't k now whether any of the other fellows had, we intended to come back again, and so long as I got down to Canmore I took planks ab d [illegible] and took me came back up here and built the house that is there now, but I think while I was away somebody took the roof off and put a new one on , and I put a door on it, but I had no window; I got the door from a camp across the river ; I did not chink up the cracks; we got the

see a Town and I went back to Calgary [illegible] and then I came up to Padmore and I was working with McCabe, he was Section Foreman, and I remained with him until the road went down, not steady all the time; made about $19.00 out of the whole thing; did not want to make much money; we lived at Padmore winter of 1883-4; we were prospecting occasionally in the winter in creeks; In the spring of 1884 McCabe and I went across the Mountain; we crossed the Columbia and I came back last fall, 1885 ; I stayed there from the spring of 1884; we made a trip across here and went up the Spray River, I think in the latter part of May, or the 1st. of June; we did not make any more trips together; from April 1884 to about July of 1885, with the exception of the time I came back and made the trip over the Spray River I was in British Columbia.

Q--When did you first discover these springs?

A--In 1883.

Q--What month?

A--In November.

Q--How did you come to find them?

A--We came across the River, we ran up with a hand car and we laid off here, and we spotted Sulphur Mountain several times, and we thought we would like to go to the bottom of it, and we made a ferry and crossed the river and we discovered a big pool by the Cave, and the cave, and we just went around looking about, and we carved our names on the bars of the brass with a knife; I had not an axe, but I don't know whether any of the other fellows had, we intended to come back again, but as soon as I got down to Canmore I took planks and axe and tools and came back up here and built the shack that is there now, but I think while I was away somebody took the roof off and put a new one on , and I put a door on it, but I had no window; I got the door from a camp across the river ; I did not chink up the cracks; we got the

1187



right in through the door; there was no chimney in it, but the smoke went through the roof; I was two or three days building the shack, and then I returned to Padmore, and in the following winter I visited the cave occasionally.

Q---Were you with McCabe going up the river and saw the steam rising from that hot spring? A---No.

Q--Did you ever discover athe spring?

A--Yes; in 1884 through McCabe's information, and my brother's information I went down on the Spray River in the valley where they spoke about it and I went down and saw the spray, and it was cold weather and there was lots of snow on the ground and ice on theriver, and I went up to it; it was not hard to get up when you knew where to go to it. I did not do anything to indicate that I had been there, but I thought if there was any claim that me and McCabe ought to have a claim to it; I did not leave any mark there because I had nothing with me, and I saw no signs of humanity there; I got back before dark, and I came back the same way only I took a near cut across from the foot of the Spring; I never saw the Springs again till last fall; I never went back to put up stakes or stake out anything.

Q--When you went to British Columbia you came back the May or June following and came up the Spray River?

A ---Yes;

Q--Did you do anything to indicate that you were there?
A--No we did not go that way; we were not at the upper springs.
Q---When McCabe put in his application a year ago last March to the Government for them were you aware that he put in an application in your name?
A--We corresponded with oneanother and he told me that he was going to apply for them.
Q--Have youget any of these letters?
A--I did not keep anybody's letters; I have not got a letter on my person; in packing arounq they get worn out.
Q--Did you ever see the Mining Regulations?
A--No I cannot say that I did.
Q--When you were prospecting in B. C. did you ever take up any claims?

light in through the door; there was no chimney in it, but the smoke went through the roof; I was two or three days building the block, and then I returned to Padmore, and in the following winter I visited the cave occasionally.

Q---Were you with McCabe going up the river and saw the steam rising from that not spring?  A---No.

Q---Did you ever discover ache spring?

A---Yes; in 1884 through McCabe's information, and my brother's information I went down on the Spray River in the valley where they spoke about it and I went down and saw the spray, and it was cold weather and there was lots of snow on the ground and ice on the river, and I went up to it; it was not hard to get up when you knew where to go to it. I did not do anything to indicate that I had been there, but I thought if there was any claim that no one had McCabe ought to have a claim to it; I did not leave any mark there because I had nothing with me, and I saw no signs of humanity there; I got back before dark, and I came back the same way only I took a near cut across from the foot of the Spring; I never saw the Springs again till last fall; I never went back to put up stakes or stake out anything.

Q---When you went to British Columbia you came back the May or June following and came up the Spray River?

A ----Yes;

Q---Did you do anything to indicate that you were there?

A---No; we did not do that way; we were not at the upper springs.

Q---Was McCabe par in his application a year ago last March to the Government for them were you aware that he put in an application in your name?

A---We corresponded with Ancnother and he told me that he was going to apply for them.

Q---Have tonight any of these letters?

A---I did not keep anybody's letters; I have not got a letter on my person; in packing around they get worn out.

Q---Did you ever see the Mining Regulations?

A---No I cannot say that I did.

Q---When you were prospecting in B. C. did you ever take up any claims?

1187

Q---Did you ever stake out any claims at all there?

A---No.

Q---Do you know if he did; or did he just tell you?

A---I saw the line there, and I saw our name on it.

Q---You were not here at the time it was done?

A---No; that was during the time I was absent West. The value of the claim is nothing; it is the value of the discovery.

Q---Did anybody over tell you that there was no registration or anything under which mineral springs can be taken up?

A---No I don't think they did.

Q---You always thought a mineral spring was a mining claim?

A---No I did not; I knew that you could not get any mineral out of it, but I thought that there ought to be some way of securing it to get it.

Q---Did you ever make any enquiry about what steps you would have to take to get it?

A---McVittie was going down to Ottawa and he gave in his returns and I was to come and see him before he went down, and he said he went down and saw him the day before Honorable David McPherson, whom I would say the Minister of the Interior then, and he wrote to us that was the Minister of the Interior then, and he wrote to us and told us to take it as a mining claim.

Q---Have you got that letter here?

A---No.

Q---You acquired or Brown and the expense was too great?

A---Yes.

Q---Did you ever try to get anybody else to come in with you to develop them?

A---No. I thought I would try and stay out West and earn some money and then come back and develop them myself, and I thought about $1,000 would put up such a place that you could like it, no that the Government could not put you off. Is

Q---Did you ever write a letter to McCabe telling him to sell your interest in the springs?

A---No.

Q---Did you write a letter to him telling him to look after your interest?

A---He had written to me saving the Hot Springs had created considerable excitement amongst the people and he said they were offering wonderful curses, and I had, and always had, great faith in it and I told him to hold on to them, that I was making money and I would be down in the fall. While we after he had said to Hall & Grierson: In the same letter he told me this that he wrote to me about the great excitement they were creating,

A--No, although there is a claim that I could take up if I wished I never took out a license until I could get something to take it out for, but I may some day.

Q--Did you ever discuss with McCabe taking up these springs as a mining operation?

A--Yes;

Q--What was the nature of the discussion?

A--The nature of the discussion was this, that this Engineer Brown, who was going to lay it out wanted $15.00 a day and run a line from Morleyville, and ofcourse we could not pay that, and that would be the spring of 1884; I think it was that spring, yes it was that spring, but we were not able to pay that.

Q--Did you ever stake out any xxxx at all there?

A--No.

Q--Do you know if he did; or did he just tell you?

A--I saw the line there, and I saw our name on it.

Q--You were not here at the time it was done?

A--No; that was during the time I was absent West. The value of the claim is nothing; it is the value of the discovery.

Q--Did anybody ever tell you that there was no regulation or anything under which mineral springs can be taken up?

A--No I don't think they did.

Q--You always thought a mineral spring was a mining claim?

A--No I did not; I knew that you could not get any mineral out of it, but I thought that there ought to be some way of coming at and it to get it.

Q--Did you ever make any enquiry about what steps you would have to take to get it?

A--McVittie was going down to Ottawa and he left word for us of us to come and see him before he gave in his returns and I went down and saw him the day before he went down, and he said he would lay the matter before Honorable David McPherson, whom I knew was the Minister of the Interior then, and he wrote to us [illegible] we take it as a mining claim.

Q--Have you got that letter here?

A--No.

Q--You enquired of Brown and the expense was too great?

A--Yes;

Q--Did you ever try to get anybody else to come in with you to develop them?

A--No, I thought I would try and stay out West and earn some money and then come back and develop them myself, and I thought about $1,000 would put up such a place that you could live in, no that the Government could not put you off it.

Q--Did you ever write a letter to McCabe telling him to sell your interest in the springs?

A--No.

Q--Did you write a letter to him telling him to look after your interest?

A--He had written to me saying the Hot Springs had created considerable excitement amongst the people and he said they were effecting wonderful cures, and I had, and always had, great faith in them and I told him to hold on to them, that I was making money and I would be down in the fall. This was after he had sold to Hall & Grierson; In the same letter he told me this that he wrote to me about the great excitement they were creating,

1187

Tait

and he told me that Hall and Grierson were to, ~~xx~~ put up improvements, and I told him to hold on to the springs, and I told him that he should have consulted me before he entered into the arrangements, but I said if they live up to their agreement it would be all right.

Q--What kind of buildings ?

A--They were to put up a hotel and improvements, and we were to be at no expense at all, and they were to be at all the expense in the matter.

Q--What other improvements ?

A--That is all; they were to put a ferry on, if they could get a Charter.

Q--Was there a written agreement?

A--Yes.

Q---Was that ever presented to you for signature?

A--No.

Q--McCabe told you that he had signed it?

A--Yes, and I tole him that he should have consulted me first, ~~xx~~ but if they would live up to their agreement it would be all right and I told him that I would be down in the fall with a pretty good stake and to hold on to them.

Q--About what date was that?

A--It was after the Hall and Grierson transaction; I think it would be about the last of July, or in August, but I am not certain; I would not say.

Q--When did you next hear about him?

A--The next was about Dave B. Woodworth, M. P. I got a telegram from my brother, which said "Come at once; business concerning Hot Springs; meet me at Donald" He telegraphed me from Canmore and started on the train for the summit and met me;

Q--What was the nature of your interview?

A--Pretty sad;

Q--What was the nature of your interview?

A--He told me how Woodworth was in with McCabe and McCabe was apt to sign it away as they were getting very thick.

Q--He was afraid McCabe was going to chisel you out of your interests?

A--Yes, and beat me and I resolved to go down and I quit everything and came down; I was in Donald that Night and I was in Canmore the next night, and I saw McCabe at Calgary, 3, 4, 5, or 6 or 7 days or a week after that; when I could not see McCabe I issued a warrant for his arrest and I could not get him; I went to the Clerk of the Court and issued the warrant and I put it in the hands of the Chief of Police and I got it out in such a way that I could cancel it if I could not find him, but if I could not find him I was going to follow him, but he turned up in town and I charged him with forgery, using my name without any power of attorney; I met him and we had a conversation, and he said that he had signed my name not thinking but what I would think it was all right; I told him it was not all right; I told him according to the looks of everything that he was not going to get a cent from D B Woodworth, because D B Woodwoth had promised to pay him and he did not get a cent.

Q--How did you know that he had not paid him?

A--I seen a copy of the agreement in the Land Office and I think Mr Woodworth shewed me a copy of it down in his office. Mr. Woodworth sent me word for me to go down and see him when I was

and he thought that Hall and Grierson were to, and put up improvements, and I told him to hold on to the springs, and I told him that he should have consulted me before he entered into the arrangements, but I said if they live up to their agreement it would be all right.

Q--What kind of buildings?

A--They were to put up a hotel and improvements, and we were to be at no expense at all, and they were to be at all the expense in the matter.

Q--What other improvements?

A--That is all; they were to put a ferry on, if they could get a charter.

Q--Was there a written agreement?

A--Yes.

Q---Was that ever presented to you for signature?

A--No.

Q--McCabe told you that he had signed it?

A--Yes, was I told him that he should have consulted me first, as but if they would live up to their agreement it would be all right and I told him that I would be down in the fall with a pretty good stake and to hold on to them.

Q--About what date was that?

A--It was after the Hall and Grierson transaction; I think it would be about the last of July, or in August, but I am not certain; I would not say.

Q--When did you next hear about him?

A--The next was about Dave B. Woodworth, M. P. I got a telegram from my brother, which said "Come at once; business concerning Hot Springs; meet me at Dunlap" He telegraphed me from Clanmore and stopped on the train for the summit and met me;

Q--What was the nature of your interview?

A--Pretty sad;

Q--What was the nature of your interview?

A--He told me how Woodworth was in with McCabe and McCabe was apt to slip it away as they were getting very thick.

Q--He was afraid McCabe was going to obtain you out of your interest?

A--Yes, and beat me and I resolved to go down and I quit everything and came down; I was in Donald that Night and I was in Glanmore the next night, and I saw McCabe at Calgary, 3, 4, 5, or 6 or 7 days or a week after that; when I could not see McCabe I issued a warrant for his arrest and I could not get him; I went to the Clerk of the Court and issued the warrant and I put it in the hands of the Chief of Police and I got it out in such a way that I could cancel it if I could not find him, but if I could not find him I was going to follow him, but he turned up in town and I charged him with forgery, using my name without any power of attorney; I met him and we had a conversation, and he said that he had signed my name not thinking but what I would think it was all right; I told him it was not all right; I told him according to the looks of everything that he was not going to get a cent from D B Woodworth, because D B Woodworth had promised to pay him and he did not get a cent.

Q--Now did you know that he had not paid him?

A--I seen a copy of the agreement in the Land Office and I think Mr Woodworth showed me a copy of it down in his office; Woodworth sent me word for me to go down and see him when I was

at Banff looking for McCabe; word was sent to me to come down and see Mr Woodworth at his shack about a mile from the Station, and when I got there there was Fred Woodworth, Harry Parsons and Benjamin Woodworth, and there was a man named Fitch, who was hid under the bed, or under the screen there, I did not see him, but I heard that Fitch or Macdougall was there but I did not see him.

Q--What was the nature of your interview with Mr Woodworth?

A--He said I understand your name is McCardell; you are a partner of McCabe, and I said yes, and he said I have bought him out and have your interest out from McCabe, and I said You might buy McCabe's but you cannot buy mine, and he said he could and he showed me the document and I said McCabe selling out his interest you can put off on me; the interview lasted about half an hour and I then came back to the springs.

Q--Did you again see Mr Woodworth before you saw McCabe?

A--I saw them both the one day, but I cannot say which I saw first; I next saw Woodworth at Calgary.

Q--Did he say that he had paid McCabe the $1500?

A--No.

Q--Did he say he did not?

A--No.

Q--Did you ask him?

A--No.

Q--Did you suppose he had?

A--I did not care; it did not concern me; I thought I was not implicated in the affair.

Q--When you saw McCabe did you ask him if he got the $1500?

A--Yes;

Q--What did he tell you?

A--He said that he did not get a cent, and I came to the Land Office and filed my protest.

Q--If McCabe had received that $1500 and paid you $750 would you have accepted $750 and made no protest?

A--I don't think I would have accepted the $750 then; I was in pretty good shape and I was coming down and I thought I would be able to fix the place up in pretty good shape; I often said if I had the springs to myself I would not take $50,000 for them, but ofcourse we had not got them from the Government and did not know what improvements would be required before we could get them.

Q--Then you went to the Land Office and filed your protest and since then you have sent two or three documents to the Department which have been filed and read here?

A--Yes.

A--I want to ask you one or two questions with regard to this evidence of Mr Fitch's says:--I saw McCardell for the first time at the Cascade Ranch about a mile North of Banff Station; he heard that Mr Woodworth was then down at camp and would like to see him; he and his brother Thomas came down. Mr Woodworth sent Mr XXXXXX Frederick Woodworth for them asking them to come and see him; they came down; I was present at the interview; they came into the shanty; I was lying behind a curtain and they could not, on account of the curtain, see me where I was situated I was about ten feet off; there were also present Harry G. Parsons (who was formerly on the mail here) Benjamin Woodworth, D. S.

1187

Woodworth, Thomas and William McCardell; William McCardell said that McCabe had done very wrong in selling his interest in the springs; that he had no right to do so, and that he repudiated any share in the transaction; Woodworth asked him if Frank McCabe had not had a lawyer, Tupper, I think, his name was-- draw up articles in regard to the springs there and their disposition, and if he had not of his own free will given Frank McCabe the letter empowering him to act for him. He said Yes he had written a letter and he thought Frank McCabe was an honest man before but now he did not think so, and he was sorry he had ever given him such a letter. Tom McCardell said " If you have given any such letter as that you ought to stick up to it if it costs you everything you have" William McCardell stated to me afterwards, probably in October, about a month or six weeks after the conversation in the ranch with Mr Woodworth, that if Frank McCabe had paid over to him his share of the money he( McCabe) would have received, or expected to receive, he would not have said anything or would not have found fault. McCardell stated that he knew that McCabe had sold his interest, but he was going to stand out for his own interest; that he would take $10,000 for it. As far as I know neither of the McCardell's ever saw Mr Woodworth about those springs except on the occasion mentioned; the conversation was on the Saturday night, and Mr Woodworth left for the East on Monday. As to the declaration made by William McCardell on the 10th. of February 1886 the extract from which as follows, has been read to me I state that it does not agree with the statement he made to Mr Woodworth" The Commissioner having read another statement with regard to McCabe having had a lawyer to draw up articles says " Did he say any such thing to you about

A--I [illegible] whether he did or not.

Q--[illegible]

A--I [illegible]

Q--If he had asked you such a question would you have [illegible] have been?

A--I could have said McCabe did not.

Q--You would not have said "Yes" to that question?

A--No.

Q--You did not see Fitch when he was in the shack that time?

A--No .

Q--Did you ever see him afterwards?

A--[illegible] saw him once down at the cave when we were building the little shack on the bank; I had conversation with him about [illegible] matters I made the remark that if Mr Woodworth wanted to [illegible] any cover or wanted to get out square that he should have paid the money that we agreed to and that would have settled it. And that would have left no room for McCabe to protest.

Q---Did you say that that would have settled your claim?

A--No.

Q--Are you sure?

A--Yes I am, and I have witnesses here to prove it.

Q--Not to present?

A--My brother was present. I rode down with Fitch on the train

Woodworth, Thomas and William McGardell; William McGardell said that McCabe had done very wrong in selling his interest in the springs; that he had no right to do so, and that he repudiated any share in the transaction; Woodworth asked him if Frank McCabe had not had a lawyer, Tupper, I think, his name was--- drew up articles in regard to the springs there and their disposition, and if he had not of his own free will given Frank McCabe his letter empowering him to act for him. He said yes he had written a letter and he thought Frank McCabe was an honest man before but now he did not think so, and he was sorry he had ever given him such a letter. Tom McGardell said " If you have given any such letter as that you ought to stick up to it it costs you everything you have" William McGardell stated to me afterwards, probably in October, about a month or six weeks after the conversation in the result with Mr Woodworth, that if Frank McCabe had paid over to him his share of the money he( McCabe) would have received, or expected to receive, he would not have said anything or would not have found fault. McGardell stated that he knew that McCabe had his interest, but he was going to stand out for his own interest; that he would take $10,000 for it. As far as I know neither of the McGardell's ever saw Mr Woodworth about these springs except on the occasion mentioned; the conversation was on the Saturday night, and Mr Woodworth left for the East on Monday. As to the declaration made by William McGardell on the 10th of February 1888 the extract from which as follows, has been read to me I state that it does not agree with the statements made to Mr Woodworth" The Commissioner having read another statement with regard to McCabe having had a lawyer to draw up articles says " Did he say any such thing to you Woodworth, Thomas and William McGardell; William McGardell said that McCabe had done very wrong in selling his interest in the springs; that he had no right to do so, and that he repudiated any share in the transaction; Woodworth asked him if Frank McCabe had not had a lawyer, Tupper, I think, his name was--- drew up articles in regard to the springs there and their disposition, and if he had not of his own free will given Frank McCabe his letter empowering him to act for him. He said yes he had written a letter and he thought Frank McCabe was an honest man before but now he did not think so, and he was sorry he had ever given him such a letter. Tom McGardell said " If you have given any such letter as that you ought to stick up to it it costs you everything you have" William McGardell stated to me afterwards, probably in October, about a month or six weeks after the conversation in the result with Mr Woodworth, that if Frank McCabe had paid over to him his share of the money he( McCabe) would have received, or expected to receive, he would not have said anything or would not have found fault. McGardell stated that he knew that McCabe had his interest, but he was going to stand out for his own interest; that he would take $10,000 for it. As far as I know neither of the McGardell's ever saw Mr Woodworth about these springs except on the occasion mentioned; the conversation was on the Saturday night, and Mr Woodworth left for the East on Monday. As to the declaration made by William McGardell on the 10th of February 1888 the extract from which as follows, has been read to me I state that it does not agree with the statements made to Mr Woodworth" The Commissioner having read another statement with regard to McCabe having had a lawyer to draw up articles says " Did he say any such thing to you

or for that. [illegible] my claim [illegible] there for my share and I said I would not take less than $10,000, but I would take $10,000. Mr Wood [illegible] to me to keep quiet; that he would see that I got enough to live a year or two on; that was the sort of a compromise that he proposed. I have been living there since last September continually except going down from Canmore for mail.

Q--When did you know that the Government had reserved it?

A--Last fall I saw it in the "Free Press".

Q--Did'nt you know that by staying there it would not strengthen your claim?

A--I thought it would.

Q--Did you write to anybody?

A--No I don't think I did.

Q--Did you ask your lawyer?

A--No I don't think I did.

Q--Why did'nt you?

A--The reason was that there was not much work going on and Hon. Thomas White said it would be settled in a short time and I was waiting for it to be settled, and if it takes another year I will want to see it out.

Q--What is your expense from the time you returned to look after your claim until the 1st. of December?

A---Just my board, and I had to have an attorney.

Q--Do you cook for yourself ?

A--Yes; my expenses were not enormous $3,00 or $4,00 a week.

Q--What do you value your time at?

A--I got $35 and $40,00 a month when I was working by the week,--but I did not work by the week, I was contracting---and I got my board ofcourse with this when I was in British Columbia I would get $5,00 and $6,00 a day and some days nothing: I had about $30,00 when I went to British Columbia and when I came back I had between $700 and $800.

Q--You did not make this speculating?

A--No, I made it with hard work. I had a claim getting out ties;

Q--Have you had anybody holding the claim for you at any time?

A--No. There was parties living there.

Q--They were not your servants?

A--No.

Q--You are still living there?

A--Yes.

By Mr Lougheed;---

Q--Speaking of the expenses while asserting your claim what disbursements have you made, in asserting your claim, in travelling to and from and getting Mr Hall to go down below?

A--I did not count that; I have expended probably $300 or $400 altogether.

Mr Commissioner;---How do you make that up?

A--By travelling up and down from Calgary.

Q---You came down last September looking for McCabe? You got off at the springs looking for him?

A--Yes;

Q--That would be a trip from the summit to Calgary?

A--Yes.

1187



Q--What would be the fare?
A--About $17.00.
Q--You stayed in Calgary a few days?
A--Yes; I was there a week or less; it cost me $2.00 a day and I had to go back West again; I did not get settled up with Dug-gan, the tie Agent; I had the trip from the summit to Calgary and back again and I had to go back twice.
Q--There was a trip from the summit of the Selkirks to Calgary and up here, and also a trip from Calgary back to the summit, and also three times the distance from Banff to the summit that should be charged to the springs; How many times did you go down to Calgary over this matter?
A--That I could not tell; I was not down and up every day, and if you went down you had to stop a week, as there was not a daily train; I was down twice, anyway, and return, and I had to spend about a week at Calgary, and one trip from Padmore to Calgary and return, when I went to see McVittie; During the time I was away last fall while settling about my timber cintract my bro-ther was looking after my interest at the springs.
Q--What did you pay him?
A--I did not pay him anything, but still he has an interest in them.

By Mr Loughead:----

Q--What did it cost you Mr Hall going to Ottawa?
A--My Share would be about $100; I had to pay ½ of his whole ex-penses to Ottawa; I paid them $100, or agreed to, but I have not paid it, but I expect to live to my agreement.
Q--How many days now do you think you spent---

Mr Commissioner;--We have got that.

Q--What consequential loss do you suppose you suffered by looking after that spring, loss of time &c; ?
A--If these springs had not bothered me I should not have come down from the west, but I was determined to come down when I had this claim here.
Q--How much money would you have been ahead of what you are to-day provided you had paid no attention to these springs?
A--I would be $700 or $800 ahead, and I would not take a cent less than $800 for my time and money spent.
Q--In regard to the hot springs you state you first went there in the end of December or the beginning of January 1884?

A--Yes;

Q--In relation to these interviews which you had with Mr Woodworth you interviewed him when you came down in regard to McCabe having signed your name?

A--Yes.

Q--You have heard the statements read of Mr Woodworth, Parsons, and Fitch with reference to your having given the authority to McCabe to act. Did any such conversation take place?
A--No.
Q--Did you make any statements as to your authority to McCabe to sign your name?
A--No; I stated I had got letters from McCabe, but in my letters to him I said "Do your best to develop the springs" that I was

Q--What would be the fare?

A--About $17.00.

Q--You stayed in Calgary a few days?

A--Yes; I was there a week or less; it cost me $2.00 a day and I had to go back West again; I did not get settled up with Dunham, the Tie Agent; I had the trip from the summit to Calgary on back again and I had to go back twice.

Q--There was a trip from the summit of the Selkirks to Calgary and up here, and also a trip from Calgary back to the summit, and also three times the distance from Banff to the summit that should be charged to the springs: How many times did you go down to Calgary over this matter?

A--That I could not tell; I was not down and up every day, and if you want down you had to stop a week, as there was not a daily train; I was down twice, anyway, and return, and I had to spend about a week at Calgary, and one trip from Padmore to Calgary and return, when I went to see McKittrick: During the time I was away last fall while settling about my timber claim; that broke was looking after my interest at the springs.

Q--What did you pay him?

A--I did not pay him anything, but still he has an interest in them.

By Mr Lougheed:----

Q--What did it cost you if not going to Ottawa?

A--My share would be about $100; I had to pay ½ of his whole expenses to Ottawa; I paid then $100, or agreed to, but I have not paid it, but I expect to live to my agreement.

Q--How many days now do you think you spent---

Mr Commissioner:--We have got that.

Q--What consequential loss do you suppose you suffered by looking after that spring, loss of time &c?

A--If those springs had not bothered me I should not have come down from the west, but I was determined to come down when I had this claim here.

Q--How much money would you have been ahead of what you are today provided you had paid no attention to these Springs?

A--I would be $700 or $800 ahead, and I would not take a cent less than $800 for my time and money spent.

Q--In regard to the hot springs you state you first went there in the end of December or the beginning of January 1884?

A--Yes;

Q--In relation to these interviews which you had with Mr Woodworth you interviewed him when you came down in regard to McCabe having signed your name?

A--Yes.

Q--You have heard the statements read of Mr Woodworth, Parsons, and Mitch with reference to your having given the authority to McCabe to act. Did any such conversation take place?

A--No.

Q--Did you make any statements as to your authority to McCabe to sign your name?

A--No: I stated I had got letters from McCabe, but in my letters to him I said "Do your best to develop the springs" that I was

making money and I would be down in the fall;
Q--Was this the conversation that took place?
A--Yes.
Q--You deny having told Mr Woodworth that you had authorized Mc-
Cabe to sell?
A--Yes. I mean to say that I did not authorize McCabe to sell.
Q--Did you tell Woodworth that?
A--Yes; told him that he never had any power of attorney and had
no authority; and I asked Woodworth why didn't he look for the
letters; why did he skew up the letters; if he ever got any let-
tere to skew them, but he never got any letters to that effect.
Q--He got a letter to develop the springs?
A--Yes.
Q--You deny the conversation that is stated as taking place?
A--Yes, and I said further that it did not effect my abere-
Q--From that day to the present have you done anything to ratify
the act of McCabe?
A--No.
Q--Did you object?
A--I always said that he had no right to do it, and had no au-
thority to do it, and still say it yet.
Q--Mr Woodworth and Mr McCabe went to Calgary--did they not?
A--So it was before that.
Q--You did not see Mr Woodworth until after he had returned from
Calgary, after having filed the assignment?
A--No.

Mr Commissioner;---

Q--Did he tell you at that time that he had filed a claim
A--I cannot recollect; he showed me a copy.
Q--It was in September the conversation took place?
A--Yes.
Q--After Mr Woodworth had returned from Calgary he showed you a
copy of the agreement that McCabe had signed?
A--Yes.
Q--Was it a duplicate copy?
A--I don't know but I think it was an original, but I am not
certain.
Q--You then went to Calgary---did you---and filed this protest?
A--Yes.

Mr Longhead;---It was McCabe who placed your signature on the
assignment and not you yourself?
A--Yes.
Q--When the witnesses on the affidavit of execution said they
were present and saw you execute that document it is incorrect--
is it?
A--Yes. I was not there at all.

Mr Woodworth;--It was intended to be
"per McCabe" and that was not put in, and I thought it was.

C r o s s ---E x a m i n e d ---by Mr. WOODWORTH:----

---You state in your affidavit that you sent to (Ottawa, I am in-
formed and believe that the said D E Woodworth made the remark
that the said witnesses did not know what they had sworn to

making money and I would be down in the fall;
Q--Was this the conversation that took place?
A--Yes.
Q--You deny having told Mr Woodworth that you had authorised McCabe to sell?
A--Yes. I mean to say that I did not authorise McCabe to sell.
Q--Did you tell Woodworth that?
A--Yes; told him that he never had any power of attorney and had no authority; and I asked Woodworth why did'nt he look for the letters; why did he shew up the letters; if he ever got any letters to shew them, but he never got any letters to that effect.
Q--He got a letter to develop the springs?
A--Yes.
Q--You deny the conversation that is stated as taking place?
A--Yes, and I said further that it did not effect my share.
Q--From that day to the present have you done anything to ratify the act of McCabe?
A--No.
Q--Did you object?
A--I always said that he had no right to do it, and had no authority to do it, and still say it yet.
Q--Mr Woodworth and Mr McCabe went to Calgary--did they not?
A--No it was before that.
Q--You did not see Mr Woodworth until after he had returned from Calgary, after having filed the assignment?
A--No.

Mr Commissioner;---

Q--Did he tell you at that time that he had filed a claim?
A--I cannot recollect; he shewed me a copy.
Q--It was in September the conversation took place?
A--Yes.
Q--After Mr Woodworth had returned from Calgary he shewed you a copy of the agreement that McCabe had signed?
A--Yes.
Q--Was it a duplicate copy?
A--I don't know but I think it was an original, but I am not certain.
Q--You then went to Calgary---did you---and filed this protest?
A--Yes.

Mr Lougheed;---It was McCabe who placed your signature on the assignment and not you yourself?
A--Yes.
Q--When the witnesses on the affidavit of execution said they were present and saw you execute that document it is incorrect--is it?
A--Yes. I was not there at all.

Mr Woodworth;--It was intended to be "per McCabe" and that was not put in, and I thought it was.

C r o s s ---E x a m i n e d---b y---Mr. WOODWORTH:----

Q--You state in your affidavit that you sent to Ottawa, I am informed and believe that the said D E Woodworth made the remark that the said witnesses did not know what they had sworn to

after they had signed the said document. Where did you get that report from?
A--Mr McCabe told me.
Q--You believed that?
A--I can believe anything I like.
Q---And you wanted to believe that?
A--I did; I had good reason to believe it;
Q--And you said, the said D B Woodworth I am informed and believe was aware that no authority was given by me to any person to perform the acts aforesaid?
A--McCabe told himself that he told you that he had no authority.
Q--Did not you say you met McCabe in Calgary and he told you he had a right to do it?
A--He thought he had a right to do it he said.
Q--In your affidavit of the 10th of February you have sworn to this;---If the said Frank McCabe were here he could give evidence corroborative of the facts herein set forth" &c; You have already sworn that I knew that he had no authority; that he was doing wrong and all that, and Frank McCabe has come here and stated and you have stated that he told you that he thought he was doing right. How could you swear to this in the affidavit what you have sworn to, when he really has not contradicted you or corroborated you, but you have contradicted yourself?
A--I checked McCabe for doing it. I think the statements I have made here to-day and the affidavit I have sent to Ottawa will correspond.
Q--You had out one conversation here with regard to these hot springs and that was in the shack in the presence of these young men, Benjamon and Frederick Woodworth, Parsons and Fitch?
A--Yes.
Q--You have sworn on the 10th. day of February A. D. 1886 a declaration in which you said this "The said D B Woodworth, I am informed and believe was aware that no authority was given by me to any person to perform the act aforesaid. The said D. B. Woodworth I am informed and believe was aware that no authority was given by me to any person to perform the act aforesaid. The said D. B. Woodworth did not at any time give me any consideration whatever as is alleged in said document, and I am informed and believe did not give any consideration to the said Frank McCabe as is therein alleged. The said D. B. Woodworth on learing that I had ascertained of my name being signed as aforesaid, endeavored to induce me, by sundry promises not to disclose the act which had been done of signing my name , as afresaid, without authority, but I ignored such inducements and filed my protest as aforesaid." What warrant had you for making the statement that I have here read?
A--Because you said to me "Don't you say anything about it, but keep quiet and I will see you all right for a year or two".
Q--Is that the reason you made that statement?
A--Yes.
Q--In whose presence did I say that?
A--You said that in the presence of these young men, xxx, probably you cannot get them to say it.
Q--And that was the time you talked to me about the hot springs?
A--Yes, and in the presence of Tom McCardell; and you said "Fitch Bell. He is a scoundrel; he is a rascal".

after they had signed the said document. Where did you get that report from?

A--Mr McCabe told me.

C--You believed that?

A--I can believe anything I like.

Q--And you wanted to believe that?

A--I did; I had good reason to believe it;

Q--And you said, the said D B Woodworth I am informed and believe was aware that no authority was given by me to any person to perform the aforesaid?

A--McCabe told himself that he told you that he had no authority.

Q--Did you say you met McCabe in Calgary and he told you he had a right to do it?

A--He thought he had a right to do it he said.

Q--In your affidavit of the 10th of February you have sworn to this:---If the said Frank McCabe were here he could give evidence corroborative of the facts hereinafter set forth" So; You have already sworn that I knew that he had no authority; that he was doing wrong and all that, and Frank McCabe has come here and stated and you have stated that he told you that he thought he was doing right. How could you swear to this in the affidavit that you have sworn to, when he really has not contradicted you or corroborated you, but you have contradicted yourself?

A--I chained McCabe for doing it. I think the statements I have made here to-day and the affidavit I have sent to Ottawa will correspond.

Q--You had out some conversation here with regard to these bot apprings and that was in the absence of the presence of these young men, Benjamon and Frederick Woodworth, Parsons and Fitch?

A--Yes.

Q--You have sworn on the 10th. day of February A. D. 1888 a declaration in which you said this "The said D B Woodworth, I am informed and believe was aware that no authority was given by me to any person to perform the act aforesaid. The said D. B. Woodworth did not at any time give me any consideration whatever as is alleged in said document, and I am informed and believe did not give any consideration to the said Frank McCabe as is therein alleged. The said D. B. Woodworth on learning that I had ascertained of my name being signed as aforesaid, endeavored to induce me, by sundry pro mises not to disclose the act which had been done of signing my name , as aforesaid, without authority, but I ignored such inducements and filed my protest as aforesaid." What warrant had you for making the statement that I have here read?

A--Because you said to me "don't you say anything about it, but keep quiet and I will see you all right for a year or two".

Q--Is that the reason you made that statement?

A--Yes.

Q--In whose presence did I say that? but

A--You said that in the presence of these young men, Mac, Provand that was the time you talked to me about the hot springs?

A--Yes, and in the presence of Tom McDonnell; and you said "Mitch himself. He is a scoundrel; he is a rascal".

1887

Q--Why did you swear upon your oath that statement that I had made sundry promises to you?

A--You did make sundry promises to me; you said keep quiet and you would see me all right for a year or two.

Q--These were the sundry statements?

A--Yes;

Q--What is the reason that you put that statement in the affi-
davit that you sent to Ottawa?

A--Yes.

By Mr Longhead:-----

Q--Were you aware of that application being put in, either by Cannon and McNeil?

A--Never till this morning.

Q--Did you instruct Mackay to make application?

A--He told me that he was about to make application for the springs, and I told him to do so.

Q--What springs did you intend to be included in your applica-
tion?

A--All the springs; we thought that they would all come under the one.

By Commissioner:-----

Q--How did you propose getting the two When you could only get 40 acres; You did not expect to get them both in 40 acres?

A--No; We could have covered them by taking two claims.

Q--With regard to that upper claim didn't you think if you were the discoverers that you would be limited to be save only?

A--We thought that we could take up two claims, and there are parties that we reported those not springs to three years ago this winter; Ofcourse we paid more attention to the lower one, on account of their being nearer the track.

By Mr. Woodworth:--------

Q--You wrote a letter to McCaney

A--Yes;

Q--After he had made the assignment to Hall and Grierson?

A--Yes;

Q--Did you hear him say he received a letter from you after he made the assignment to Hall and Grierson?

A--No.

Q--Did'nt you hear him state here on his oath that after he got the letter from you that he signed the agreement to Hall and Grierson?

A--I suppose it is true, because I was writing letters to him all the time.

Q--You have spoken of the conditions of the agreement between you, Hall and Grierson?

A--Yes;

Q--You approved of that?

A--Yes I approved of that, if they would fulfil their agreement.

Q--You wrote a letter to him with regard to the disposal of the springs?

Q--Why did you swear upon your oath that statement that I had made sundry promises to you?
A--You did make sundry promises to me; you said keep quiet and you would see me all right for a year or two.
Q--These were the sundry statements?
A--Yes;
Q--That is the reason that you put that statement in the affd. that you sent to Ottawa?
A--Yes.

By Mr Lougheed;-----

Q--Were you aware of that application being put in, signed by Samson and McNeil
A--Never till this morning.
Q--Did you instruct McCabe to make application?
A--He told me that he was about to make application for the springs, and I told him to do so.
Q--What springs did you intend to be included in your application? but
A--All the springs; we thought that they would all come under the one.

Mr Commissioner;----

Q--How did you propose getting the two when you could only get 40 acres; you did not expect to get them both in 40 acres?
A--No; We could have covered them by taking two claims.
Q--With regard to that upper claim did'nt you think if you were the discoverers that you would be limited to the cave only?
A--We thought that we could take up two claims, and there are parties that we reported those hot springs to three years ago this winter; ofcourse we paid more attention to the lower one, on account of their being nearer the track.

By Mr. Woodworth;-------

Q--You wrote a letter to McCabe?
A--Yes;
Q--After he had made the assignment to Hall and Grierson?
A--Yes;
Q--Did you hear him say he received a letter from you after he made the assignment to Hall and Grierson?
A--No.
Q--Did'nt you hear him state here on his oath that after he got the letter from you that he signed the agreement to Hall and Grierson?
A--I suppose it is true, because I was writing letters to him all the time.
Q--You have spoken of the conditions of the agreement betwee you, Hall and Grierson?
A--Yes;
Q--You approved of that?
A--Yes I approved of that, if they would fulfil their agreement.
Q--You wrote a letter to him with regard to the disposal of the springs?

1187

41

A--No. Not the disposal, by any means, but the development of the springs.
Q--Did you write him a letter intimating that he was your agent before he signed the agreement with Hall and Grierson?
A--No I did not; he never was my agent, but he used to look after the springs.
Q--Did you write him to do so?
A--He used to tell me and I approved of it.
Q--Did you write him a letter in regard to it?
A--Yes several times;
Q--Before he signed the agreement with Hall and Grierson?
A--Yes, but I don't know how long; I wrote to him several times.
Q--After he got this letter from you he signed this agreement with Hall and Grierson?
A--I can't spot the letter you are after.
Q--You did write him a letter, you say, before he signed the agreement with Hall and Grierson?

A--Yes;

Q--But did you say to him?
A--I used to ask him about the springs and he used to tell me what was true and he used to tell me how much money he was making and I used to tell him how much I was making, and how we would be fixed in the fall.
Q--I am asking you with regard to this letter to dispose of the springs?
A--No, not disposal, but development of the springs, and that letter about the agreement came after I had written to him about the agreement with Hall and Grierson, and I told him I would agree to it provided they would live up to their agreement, but I said that he should have notified me of it beforehand.
Q--You swear to that?
A--Yes.
Q--You remember you put that in?

A--Yes;

Q--You remember the exact words there?
A--Yes;
Q--Your memory is clear as noon-day?

A--Yes;

Q--That was the letter you wrote him?

A--Yes.

Q--And you never wrote him a letter before that by which he could sign your name to that agreement?
A--No never; he never mentioned to me about going to sell to anybody.
Q--You never wrote him generally that he could sell the springs, and that he could act for you with regard to the springs, without specifying parties' names?
A--No I did not write him a letter so that he could be my agent, to dispose of the springs as he wished.
Q--Did you write him a letter to look after the springs for your interest?
A--Yes I did; I said to do the best he could to develop the springs.
Q--I want to know about that letter that you wrote to him about the disposal of the springs before the agreement with Hall

A---No. Not the disposal, by any means, but the development of the springs.

Q---Did you write him a letter inclosing that he was your agent before he signed the agreement with Hall and Grierson?

A---No. I did not. He never was my agent, but he need to look after the springs.

Q---Did you write him to do so?

A---He had to tell me and I approved of it.

Q---Did you write him a letter in regard to it?

A---Has several times;

Q---Before he signed the agreement with Hall and Grierson?

A---No, but I don't know how long; I wrote to him several times after he got this letter from you he signed this agreement with Hall and Grierson;

Q---I again ask you the letter you are after.

A---I don't know whether you can be used to tell me anything and he used to tell me how much money he was making and how I used to tell him how much I was making, and how we would be fixed in the fall.

Q---I am asking you with regard to this letter to dispose of the springs?

A---Yes;

Q---What did you say to him?

A---I meant to ask him about the springs and be used to tell me what was to be done and he used to tell me how much money he was making and how I used to tell him how much I was making, and how we would be fixed in the fall.

Q---I am asking you with regard to this letter to dispose of the springs?

A---No, not disposal, but development of the springs, and that letter about the agreement came after I had written to him about the agreement with Hall and Grierson, and I told him I would agree to it provided they would live up to their agreement, but I said that he should have notified me of it beforehand.

Q---You swear to that?

A---Yes.

Q---You remember you put that in?

A---Yes;

Q---You remember the exact words there?

A---Yes;

Q---Your memory is clear as moon-day?

A---Yes;

Q---What was the letter you wrote him?

A---Yes.

Q---And you never wrote him a letter before that by which he could take your name to that agreement?

A---No never; he never mentioned to me about going to sell to anybody.

Q---You never wrote him generally that he could sell the springs, and that he could act for you with regard to the springs, without specifying parties' names?

A---No I did not write him a letter so that he could be my agent.

Q---Did you write him a letter to look after the springs for your disposes of the springs as he wished.

A---Yes I did; I said to do the best he could to develop the springs.

Q---I want to know about that letter that you wrote to him without the disposal of the springs before the agreement with Hall

and Doris son?
A---I never wrote him no such letter.
Q---Did you hear Mr McCabe swear here upon his oath, and in his interests, and your partner, that he got a letter from you that he could act in your interest, not a power of attorney?
A---He did not make affidavit to that effect, but that he was to do the best he could for the development of the springs, and he was to look after the springs.
Q---Did'nt you hear him swear that he told me at the shack in the presence of Frederick Woodworth and Fitch that he had got a letter from you and that he could sign your name, and that he signed your name to that agreement under that letter?
A---No I did not hear him say that.
Q---If he did make that statement did he say what was untrue?
A---Part of the statement is true----that he was to look after my interest here.
Q---And looking after that he made this agreement with Hall and Dorisson?
A---Yes, but I checked him for that; I said that he ought to have written to me and let me know; I said it was all right if they would live up to their agreement, but I checked him and said that he should have corresponded with me first.
Q---In this letter that you wrote him after the agreement with Hall and Dyerson you stated that you checked him that he should have written to you first?
A---Yes; I am not stating it word for word, but as near as I can come to the weight of the letter that is what was meant.

by Mr Keefe:----------

Q---Did you cut any marks or make any track when you went there first?
A---No.
Q---What was the reason that you did not put up a shack up there?
A---The snow was so deep that I could not put a shack up then, and in the spring of the year I went across the Mountains with McCabe, and McCabe was coming in the spring and I thought he would erect the shack then; the honor or right it does not rest on me, but on Tom and McCabe, and they owe me a debt of gratitude. I may von may see the spray from the spring de the spray flyer on the ice.
--id you ever tell anybody around, about these hot springs?
---Yes, I reported it down at Canmore; all of us reported it.
Q---Who did you hear them reported to?
A---There is a gentleman present in the room who heard them hot springs reported three years ago this winter.
Q---Anybody else?
---Mr. Conroy.

and Grierson?
A---I never wrote him no such letter.
Q--Did you hear Mr McCabe swear here upon his oath, and in his interests, and your partner, that he got a letter from you that he could act in your interest, not a power of attorney?
A--He did not make affidavit to that effect, but that he was to do the best he could for the development of the springs, and he was to look after the springs.
Q--Didn't you hear him swear that he told me at the shack in the presence of Frederick Woodworth and Fitch that he had got a letter from you and that he could sign your name, and that he signed your name to that agreement under that letter?
A--No I did not hear him say that.
Q--If he did make that statement did he say what was untrue?
A--Part of the statement is true----that he was to look after my interest here.
Q--And looking after that he made this agreement with Hall and Grierson?
A--Yes, but I checked him for that; I said that he ought to have written to me and let me know; I said it was all right if they would live up to their agreement, but I checked him and said that he should have corresponded with me first.
Q--In this letter that you wrote him after the agreement with Hall and Grierson you stated that you checked him that he should have written to you first?
A--Yes; I am not stating it word for word, but as near as I can come to the weight of the letter that is what was meant.

By Mr Keefe;--------

Q--Did you cut any marks or make any track when you went there first?

A--No.

Q--What was the reason that you did not put up a shack up there?
A--The snow was so deep that I could not put a shack up then, and in the spring of the year I went across the Mountains with McCabe, and McCabe was coming in the spring and I thought he would erect the shack then; the honor of [illegible] it does not rest on me, but on Tom and McCabe, and they [illegible] information. I say you can see the spray from the springs [illegible] spray [illegible] on the ice.
Q--Did you ever tell anybody around, about these hot springs?
A--Yes, I reported it down at Conroy; all of us reported it.
Q--Who did you hear them reported to?
A--There is a gentleman present in the room who heard them hot springs reported three years ago this winter.
Q--Anybody else?
A--Mr. Conroy.

Mr Commissioner;--- You have never filed a claim in your own name with reference to these springs?
A--No.
Q--Whatever claim you have is as a silent partner?
A--Yes.
Q--You are going to trust to whom---your brother, or McCabe, or both?
A--Both, if they turn out well I am expecting both of them to compensate me .
Q--Are you the man who was with McCabe when you were on the Spray River and saw the spray from the upper hot spring?
A--Yes.
Q--Did you attempt to go up?
A--Yes;
Q--Why did'nt you go up?
Q--The snow was pretty deep and there was a lot of fallen timber and it was near dinner time, and we went up about 200 yards and then turned around and came down again and followed the ice all the way down the Spray and we followed the ice all up the bow coming right up close to the edge.
Q--Did you ever hear your brother say that he had been to that spring.?
A--Yes; we came back and told him about seeing the vapour and he started up; we were hunting; I did not do any shooting of any account that winter; McCabe was trying a terrible lot but he did not shoot very much.
Q--What did your brother say about the springs?
A--He described them and said they were very warm, very much warmer than any of the rest, and he said the water was boiling out the side of the rock, but there was no big basin; the water was in a little pool.
Q--What time was that?
A--That was the last of December or the 1st. of January 1883.
Q--Did you ever mention that spring to anybody outside your brother and McCabe?
A--Oh Yes; I mentioned it to people in Canmore.
Q--Did you ever discuss with McCabe or McCardell the taking up of these springs in any way?
A--Oh yes, but I don't remember very much just now; they done most of the business to please themselves.
Q--Did they try to have them taken up?
A--Yes, but they could not get any satisfaction from the Government.
Q--They do not appear to have been in a very great hurry if they found them in 1883, because they did not start their correspondence until 1885 on the 20th of March. They had mail service all through the winter of 1883 from Laggan?
A--My brother made the trip to Calgary during that time and he had an interview with McVittie; he said McVittie was going to Ottawa, but I don't know anything personally about that matter.

A--y

Mr Commissioner:--- You have never filed a claim in your own name with reference to these springs?

A--No.

Q--Whatever claim you have is as silent partner?

A--Yes.

Q--You are going to trust to Wm.---Your brother, or McCabe, or both?

A--Both, if they turn out well I am expecting both of them to compensate me.

Q--Is the man who was with McCabe when you were on the spring that saw the spray from the upper hot spring?

A--Yes.

Q--Did you attempt to go up?

A--Yes!

Q--Why did'nt you go up?

Q--The snow was pretty deep and there was a lot of fallen timber and it was near dinner time, and we went up about 300 yards and then turned around and came down again and followed the ice all the way down the spray and we followed the ice all up the Bow coming right up close to the edge.

Q--Did you ever hear your brother say that he had been to that spring?

A--Yes; we came back and told him about seeing the vapour and he started up; we were hunting; I did not do any shooting of any account that winter; McCabe was trying a terrible lot but he did not shoot very much.

Q--What did your brother say about the springs?

A--He described them and said they were very warm, very much warmer than any of the rest, and he said the water was boiling out the side of the rock, but there was no big basin; the water was in a little pool.

Q--What time was that?

A--That was the last of December or the 1st. of January 1883.

Q--Did you ever mention that spring to anybody outside your brother and McCabe?

A--Oh Yes; I mentioned it to people in Canmore.

Q--Did you ever discuss with McCabe or McDarrell the taking up of those springs in any way?

A--Oh Yes, but I don't remember very much just now; they done most of the business to please themselves.

Q--Did they try to have them taken up?

A--Yes, but they could not get any satisfaction from the Government.

Q--They do not appear to have been in a very great hurry if they found them in 1883, because they did not start their correspondence until 1886 on the 20th of March. They had full service all through the winter of 1883 from Laggan?

A--My brother made the trip to Calgary during that time and he had an interview with McKittie; he said McKittie was going to Ottawa, but I don't know anything personally about that matter.

1188



--Did you do any other prospecting that winter---the winter of 1883-4?

A--I did not do so much as the other boys; I was out across the Brown River prospecting and I struck a Coal Mine, and there was a claimed that he struck it before me I did, but I don't profess to be a practical prospector; I have done a little at it.

Q--Were you present when your brother and McCabe discovered this mine?

A--Yes; that would be about the 8th. of November: I was out with them at that time.

Q--What did you in view at that time---mineral?

A--Why thought this was a queer looking mountain and we did not know but what there might be mineral in it, and we come over to look it over.

Q--This lower cave how long have you been there, or you have heard your brother and McCabe make the statement with regard to the time they have been there and the improvements that they have made?

A--Yes;

Q--Is their evidence correct?

A--Yes, so far as I know about it.

Q--In regard to both springs?

A--Yes;

Q--Who do you consider the discoverer of the upper spring?

A--I would consider my brother was, because we did not see the spring.

Q--What ever actions he did were on the basis that he was the discoverer?

A--Yes.

Q--Who were the parties at Canmore you told about this discovery?

A--Mr Conroy, and another man, about the only two there.

Q--How did Keefe come to know about this spring being there do you think?

A--I think from hearing it from McCabe.

Q--I think you informed your brother about McCabe having executed the assignment?

A--Yes;

Q--Which assignment do you refer to, when you went up for him?

A--I don't think the transaction had taken place then; I only went up to have him down here in case anything should turn up.

Q--What induced you to telegraph your brother?

A--I thought things were going rather crooked and I did not know how things were going, and there was a rush around here and I thought was a silent partner and I could not say anything and I told my brother should be here, and I went up to Donald, and I telegraphed to him and returned with him.

--You did not know what took place until you returned?

A--No.

Q--With regard to this conversation that took place between Fife on the 5th. of September you were present?

A--Yes.

Q--How many days previous was it that you returned?

A--I could not say, but it was not more than four or five days or a week.

Q--What information had you become possessed of first with re-

--Did you do any other prospecting that winter---the winter of 1883-4?
A--I did not do so much as the other boys; I was out across the Bow River prospecting and I struck a Coal Mine, and there was a man claimed that he struck it before me I did, but I don't profess to be a practical prospector; I have done a little at it.
Q--Were you present when your brother and McCabe discovered this mine?
A--Yes; that would be about the 8th. of November: I was out with them at that time.
Q--What led you in view at that time---mineral?
A--We thought this was a queer looking mountain and we did not know but what there might be mineral in it, and we come over to look it over.
Q--This lower cave how long have you been there, or you have heard your brother and McCabe make the statement with regard to the time they have been there and the improvements that they have made?
A--Yes;
Q--Is their evidence correct?
A--Yes, as far as I know about it.
Q--In regard to both springs?
A--Yes;
Q--Who do you consider the discoverer of the upper spring?
A--I would consider my brother was, because we did not see the spring.
Q--Whatever actions he did were on the basis that he was the discoverer?
A--Yes.
Q--Who were the parties at Canmore you told about this discovery?
A--Mr Conroy, and another man, about the only two there.
Q--How did Keefe come to know about this spring being there do you think?
A--I think from hearing it from McCabe.
Q--I think you informed your brother about McCabe having executed the assignment?
A--Yes;
Q--Which assignment do you refer to, when you went up for him?
A--I don't think the transaction had taken place then; I only went up to have him down here in case anything should turn up.
Q--What induced you to telegraph your brother?
A--I thought things were going rather crooked and I did not know how things were going, and there was a rush around here and I was a silent partner and I could not say anything and I thought my brother should be here, and I went up to Donald, and I telegraphed to him and returned with him.
Q--You did not know what took place until you returned?
A--No.
Q--With regard to this conversation that took place between Fitch on the 5th. of September you were present?
A--Yes.
Q--How many days previous was it that you returned?
A--I could not say, but it was not more than four or five days or a week.
Q--What information had you become possessed of first with re-

gard to this claim having been assigned?
A--Hon Hall.
Q--You and your brother came up to Sandy and you had a conversation with Mr Woodworth?
A--Yes.
Q--Will you repeat the conversation that took place?
A--Mr Woodworth told my brother that he had bought out the springs, and he said I understand you were a partner of Frank McCabe's; My brother told him that he may have bought out McCabe but he could not buy out him ---something to that effect. There was quite a conversation and I have not got the whole of it, and Mr Woodworth said he would see my brother through all right anyhow; not to bother himself; to keep quiet and he would see he was all right anyhow; my brother told him that he did not claim for no share,or anything like that, but he calculated that his share was as strong as ever.

Mr. Commissioner;------

Q--Did Mr Fitch, or anybody there at any time when you were present state to your brother that he having written a letter to McCabe authorising him to do anything did that lead up to your having made the observation that he should stick to that no matter whether he lost or not?
A--No.
Q--Did you ever hear your brother deny that he had written any such letter?
A--No.
Q--Did you ever hear him deny it?
A--No.
Q--Did you hear your brother state that he had written any letter?
A--Yes I have heard him mention this letter when he told him he was up west doing well, and to do the best he could in regard to developing them and to hold them until the fall and he would be down, and they would do their best in regard to developing them.
Q--Prior to going up to your brother you knew an arrangement had been entered into between Hall and Grierson?
A--Yes.
Q--Who told you?
A--McCabe told me.
Q--Did Hall or Grierson tell you?
A--I don't think so.
Q--Did you notify your brother of that arrangement?
A--No.
Q ---- Why did'nt you?
A--I calculated that they were corresponding.
Q--Might'nt they mislead him?
A--I trusted to their honesty at that time.
Q--You had no cause to doubt their honesty?
A---No.
Q--That caused you to doubt their honesty afterwards?
A--I saw that they, Mr Wood orth and Mr Fitch and Hall was up here and they had started to cut this road and talked of building a ferry, and I wanted to know who was doing this thing, now my brother was standing in the matter, and I went to my brother There were several who asked me if my brother was doing this

1188



thing, and if he was all right; I could not answer them.

Q--Who were they?

A--There was Mr Conroy who one, and I heard Jim Dreyer, often say that he wished he was down.

Q--What did he want him down for?

A--I could not say; because he thought things would run better at the time was he pleased with the assignment that had been made to Mr Woodworth.

Q--I rather fancy it was before the arrangement with Woodworth.

By Mr. Jones:----------

Q--Reading from Fitzie's Evidence)---Mr Woodworth sent Mr Frederick Woodworth for them asking them to come and see him: they came down; I was present at the above interview; they came into the shanty; I was lying behind a curtain and they could not, on account of the curtain, see me where I was situated; I was about to rest off; there were also present Henry G. Strachan ( who was for merly on the mail here) Benjamin Woodworth; D. B. Woodworth, Thomas and William McCardell; William McCardell said that McCabe had done very wrong in selling his interest in the spring; He had no right to do so, and that he repudiated any share in the transaction: Woodworth asked him if Frank McCabe had not had a lawyer, Tupper, I think, was his name, draw up articles in regard to the spring there and their disposition, and if he had not, of his own free will, given Frank McCabe a letter empowering him to act for him. He said yes he had written a letter, and he thought Frank McCabe was an honest man before, but now he did not think so, and he was sorry that he had ever given such a letter. Tom McCardell said: If you have given any such letter as that you ought to stick up to it if it costs you everything you have". Do you recollect any such conversation as that? Your saying that if he had given any such letter as that he ought to stick up to it if it cost him everything he had?

A--No.

Q--You also heard read by the Examiner the statements of Messrs. Benjamin Woodworth and Frederick Woodworth, the purport of it being that your brother ratified the act, and that he had given him power to act for him. Was any such statement as that made while you were there?

A--No Sir.

Q--Strachan makes a similar statement; is that correct?

A--No

Q--If such a statement had been made would you have heard it?

A--Yes.

Q--Were you with your brother?

A--Yes I was with my brother the whole time

Q--Have you known your brother to confirm his signature; in any way, to this assignment?

A--

Cross-Examined by Mr. Woodworth:------

Q--You say you heard me say to him to keep quiet and that he would get a share anyway?

thing, and if he was all right; I could not answer that.
Q--Who were they?
A--There was Mr Conroy was one, and I heard Jim Grierson ortc: say that he wished he was down.
Q--What did he want him down for?
A--I could not say; because he thought things would run better
Q--At the time was he pleased with the assignment that had been made to Mr Woodworth?
A--I rather fancy it was before the arrangement with Woodworth.

By Mr. Lougheed;--------

Q--Reading from Fitch's Evidence)---Mr Woodworth sent Mr Frederick Woodworth for them asking them to come and see him: they came down: I was present at the sixre interview; they came into the shanty; I was lying behind a curtain and they could not, on account of the curtain, see me where I was situated; I was about 10 feet off; there were also present Henry C. Parsons ( who was for merly on the mail here) Benjamin Woodworth; D. G. Woodworth, Thomas and William McCardell; William McCardell said that McCabe had done very wrong in selling his interest in the springs; he had no right to do so, and that he repudiated any share in the transaction: Woodworth asked him if Frank McCabe had not had a lawyer, Tupper, I think, was his name, draw up articles in regard to the springs there and their disposition, and if he had not, of his own free will, given Frank McCabe a letter empowering him to act for him. He said yes he had written a letter, and he thought Frank McCabe was an honest man before, but now he did not think so, and he was sorry that he had ever given such a letter. Tom McCardell said: If you have given any such letter as that you ought to stick up to it if it costs you everything you have". Do you recollect any such conversation as that? Your saying that if he had given any such letter as that that he ought to stick up to it if it cost him everything he had?
A--No.

Q--You also heard read by the Examiner the statements of Parsons, Mr Benjamin Woodworth and Frederick Woodworth, the purport of it being that your brother ratified the act, and that he had given him power to act for him. Was any such statement as that made while you were there?
A--No Sir.
Q--Parsons makes a similar statement;is that correct?
A--No
Q--If such a statement had been made would you have heard it?
A--Yes
Q--Were you with your brother?
A--Yes I was with my brother the whole time
Q--Have you known your brother to confirm his signature, in any way, to this assignment?
A--No.

Cross-Examined by Mr. Woodworth;------

Q--You say you heard me say to him to keep quiet and that he would get a share anyway?

1188



A--That he would be looked after.
Q--Is that about all that was said in that connection?
A--There was more than that said.
Q--But that is about all that was said in that connection?
A--You told him not to trouble himself; to keep quiet, that he was bound to get a share out of it and you would see that he was not wronged; that you were to do square with him, and for him to keep quiet and he would be all right anyhow.

BY-----MR.-------KEEFE;-----

Q--Do you mind when you were down at my place didn't I tell you that McCabe would beat McCardell out of the spring, and didn't you get mad, when you were in the carpenter gang?
A--Yes.
Q--Didn't you get mad about it?
A--Not terrible mad, but I thought that it was not a very straight question.
Q--Didn't I ask you that night if you ever saw the hot spring?
A--I don't remember you asking me such a question.
Q--Didn't you acknowledge that you never saw the hot spring, and never saw it?
A--I could not tell you.
Q--Didn't you tell me that you never saw, on your oath, the spring, but you only saw the vapour?
A--I acknowlege that I did not find it.
Q--Didn't you acknowlege at my house that night that you never heard Billy say that he was at the springs; and that you never heard McCabe say that he was at the springs?
A--Now I may have said that I never heard McCabe say that he was at it.
Q--Did you ever hear anyone say who made the first road across to the hot springs?
A--No.
Q--Did you ever see a man named "Harry" going around my place lately, who was sick, and I sent him across and got him cured and sent him away?
A--I know this man named Harry here now, but I don't know of any other Harry.
Q--Didn't I say that you did'nt find the hot springs?
A--I am not claiming that I found them.
Q--Didn't I say McCabe never found them?
A--Yes.
Q--Who did I say cut the first tree there; blazed the first tree?
A--I don't know.

Mr Keefe now applied for leave to call Mr. Moriarty, as he had to go away.

The witness

1189

CHARLES MORIARTY, was then Sworn in support of Keefe's Claim.

On being sworn he said in reply to Mr Commissioner;--- I am going on 34 years of age; I came up to Banff in the spring of 1884 and worked there all winter, and worked various places since; I have been working for the C. P. R. and Langdon & Sheppard, but since 1884 I have been working continuously for the

1188

A---That he would be looked after.

Q---Is that about all that was said in that connection?

A---There was more than that said.

Q---But that is about all that was said in that connection?

A---You told him not to trouble himself; to keep quiet, that he was bound to get a share out of it and you would see that he was not wronged; that you were to do square with him, and for him to keep quiet and he would be all right anyhow.

BY-----MR.-------KEMP:-----

Q---Do you mind when you were down at my place didn't I tell you that McCabe would beat McCardell out of the spring, and didn't you get mad, when you were in the carpenter gang?

A---Yes.

Q---Didn't you get mad about it?

A---Not terrible mad, but I thought that it was not a very straight question.

Q---Didn't I ask you that night if you ever saw the hot spring?

A---I don't remember you asking me such a question.

Q---Didn't you acknowledge that you never saw the hot spring, and never saw it?

A---I would not tell you.

Q---Didn't you tell me that you never saw, on your oath, the spring, but you only saw the vapour?

A---I acknowledge that I did not find it.

Q---Didn't you acknowledge at my house that night that you never heard Billy say that he was at the springs; and that you never heard McCabe say that he was at the springs?

A---Now I may have said that I never heard McCabe say that he was at it.

Q---Did you ever hear anyone say who made the first road across to the hot springs?

A---No.

Q---Did you ever see a man named "Harry" going around my place lately, who was sick, and I sent him across and got him cured and sent him away?

A---I know this man named Harry here now, but I don't know of any other Harry.

Q---Didn't I say that you didn't find the hot springs?

A---I am not claiming that I found them.

Q---Didn't I say McCabe never found them?

A---Yes.

Q---Who did Leary cut the first tree there; blazed the first tree?

A---I don't know.

Mr Keefe now applied for leave to call Mr. Moriarty, as he had to go away.

The witness

1189

then sworn in support of Keefe's Claim.

On being sworn he said in reply to Mr Commissioner:---

I am going on 24 years of age; I came up to Banff in the spring of 1884 and worked there all winter, and worked various places since; I have been working for the C. P. R. and Langdon & Sheppard, but since 1884 I have been working continuously for the

since 1884 I have been working between Canmore and Tomald; all last summer and last winter I was down between Medicine Hat and Gleichen; I came up here again in March 1885 and went back in December; I came here in May 1884 and I went East in October 1884.

By Mr. Keefe:----

Q---What time did you get acquainted with me?

A---In July, I think, 1884;

Q---You took charge of the section at Banff what time?

A---I think it was in July.

Q---Do you know whether there was any way of getting across to the hot springs in 1884?

A---No.

Q---Was there any way of getting across before you went away?

A---No, only the raft that was built out of tian; I heard you built a raft there; I don't know who built it; there was a paddle to it when I was up here at the latter end of March or the first of April with Newman; McDonald and Deeves, and there must have been some more men.

Q---The shack that was up there when you got there was there any roof on it?

A---No there was no covering on it except poles; there was no door on; I helped to chink the walls up and Wyeth and Newman left a stove from Silver City; I cannot say whether that is the stove that is there.

Q---Who did you first hear of the hot springs?

A---I heard in the spring of 1884;

Q---Who told you about that?

A---I heard McCabe and McCardell speaking about them but I cannot say which ones they meant.

Q---Did you hear anybody making any distinction between the two and hot springs before 1884?

A---No. I heard you may that you found a hot spring some time in 1884. and I heard Dan O'Connell and you have a row over the hot springs.

Mr Longhead objected to this evidence.

Witness:---

When I came up there was a path up to the lower springs, but I was never up to the upper springs.

By Mr. Longhead:---

Q---Do you not know that it was McCabe and McCardell who discovered that upper hot spring?

A---No.

Q---You do not know anything about the upper hot springs?

A---No.

---You have never been up there?

A---No.

---You don't know who discovered it?

A---No, not myself.

---So that, in fact, you know nothing about it?

C. P. R. I am section foreman and also foreman of extra gangs since 1884 I have been working between Canmore and Donald; all last summer and last winter I was down between Medicine Hat and Gleichen; I came up here again in March 1885 and went back east in December; I came here in May 1884 and I went East in October 1884.

By Mr. Keefe;----

Q--What time did you get acquainted with me?
A--In July, I think, 1884;
Q--You took charge of the section at Banff what time?
A--I think it was in July.
Q--Do you know whether there was any way of getting across to the hot springs in 1884?
A--No.
Q--Was there any way of getting across before you went away?
A--No, only the raft that was built out of ties; I heard you built a raft there; I don't know who built it; there was a paddle to it when I was up here at the latter end of March or the first of April with Newman; McDonald and Reeves, and there must have been some more men.
Q--The shack that was up there when you got there was there any roof on it?
A--No there was no covering on it except poles; there was no door on; I helped to chink the walls up and myself and Newman fetched a stove from Silver City; I cannot say whether that is the stove that is there.
Q--When did you first hear of the hot springs?
A--I heard in the spring of 1884;
Q--Who told you about that?
A--I heard McCabe and McCardell speaking about them, but I cannot say which ones they meant.
Q--Did you hear anybody making any distinction between the cave and hot springs before 1884?
A--No. I heard you say that you found a hot spring some time in 1884, and I heard Dan O'Connell and you have a row over the hot springs.

Mr Lougheed objected to this evidence.

Witness;---

When I came up there was a path up to the lower springs, but I was never up to the upper springs.

By Mr. Lougheed;----

Q----Do you not know that it was McCabe and McCardell who discovered that upper spring?
A--No.
Q--You do not know anything about the upper hot spring?
A--No.
Q--You have never been up there?
A--No.
Q--You don't know who discovered it?
A--No, not myself.
Q--So that, in fact, you know nothing about it?

1189



A--No.
Q--You have seen McCabe and McCardell up at the Cave?
A--Yes. I heard McCabe say that he discovered this spring years, and I have heard Billy McCardell say the same.

Mr Keefe:----

Q--Did McCabe make any remark to you about it?
A--When you were in the shack he said he had never been up to the hot springs, and he asked some questions there as to the road to them; he acted like a man who knew the direction in which they lay, but I do not suppose he knew the road to them.

The Investigation Was Now Adjourned Till The Next day

Friday, July 9th. 1886.

The Commission resumed its sitting this morning at Nine O'Clock.

Peter Young was the first witness called, his evidence being taken by the Commissioner.

A--No.

Q--You have seen McCabe and McCarthall up at the Cave?

A--Yes. I heard McCabe say that he discovered this spring, here, and I have heard BILLY McCarthall say the same.

Mr Keefe:----

Q--Did McCabe make any remark to you about it?

A--Yes. You were in the shack he said. He had never been up to the hot springs, and he asked some questions there as to the road to them; he acted like a man who knew the direction in which they lay, but I do not suppose he knew the road to them.

The Investigation Was Now Adjourned Till The Next day

Friday, July 8th. 1898.

The Commission resumed its sitting this morning at Nine O'Clock.

Peter Young was the first witness called. His evidence was taken by the Commissioner.

1190

Q.

[illegible]

Mr Pierce:---

Q---What is your age?

A---Twenty-seven.

Mr Longbead:------ How long have you been up in this district of country?

A---I came here in the fall of 1883 and I have been residing at Canmore; I was clerk for Donald and Farwell, and last winter I was away four months, cooking; fifteen in all I think it was in October I came here, and I left for Canada in the summer of 1884, and in the winter of 1883-8 I was away four months.

Q---You were here from the fall of 1883 until the summer of 1884?

A---Yes; it was either July or August that I went up there.

Q---What do you know about the discovery of the springs by McCardell and McCardell?

A---All I know is that they were the first men I heard speaking about the hot springs, in the fall of 1883; I was a storekeeper in the country and kept a restaurant at Canmore and they were the first men I heard speaking of the springs; they were strangers and they came in and stated that they had found hot springs at Banff, and not knowing much about them at the time I did not make much enquiries.

Q---Did you hear them afterwards draw any distinction between the cave and the hot springs?

A---I did not pay enough attention to that to tell you.

Q---You just heard them speaking of them generally?

A---Yes.

Q---Did you hear of other claimants turning up afterwards?

A---Not until I came back from Donald, last July.

Q---Then did you hear of Keefe being discovered?

A---Not until I returned from Donald.

Q---You never heard pr himself to be a discoverer until you returned from Donald, which would be in the summer of 1883?

A---No.

Q---You kept a restaurant and saloon at Canmore?

A---Yes;

Q---All topics of that sort would be discussed freely in your place?

A---That is an likely a place as any where any such matters would be discussed.

Q---Do you know McCabe and McCardell to have asserted their claim continuously?

A---I have seen no writings, but I have heard them speaking about it and saying that they have taken claim of them.

By Mr Keefe:------

Q---What time did you hear William McCardell speak about of these springs?

A---In the fall of 1883.

Q---Did you hear him speak about them in 1884?

A---I heard him speaking about them in the spring of 1884.

Q---What time?

1190

James Carlin sworn

Mr Pierce;---

Q--What is your age?

A--Twenty-seven.

Mr Lougheed;---- How long have you been up in this district of country?

A--I came here in the fall of 1883 and I have been residing at Canmore; I was eleven months at Donald and Farwell, and last winter I was away four months, making fifteen months in all I think it was in October I came here, and I left for Donald in the summer of 1884, and in the winter of 1885-6 I was away four months.

Q--You were here from the fall of 1883 until the summer of 1884?

A--Yes; it was either July or August that I went up there.

Q--What do you know about the discovery of the springs by McCabe and McCardell?

A--All I know is that they were the first men I heard speaking about the hot springs, in the fall of 1883; I was a stranger in the country and kept a restaurant at Canmore and they were the first men I heard speaking of the springs; they were strangers and they came in and stated that they had found hot springs at Banff, and not knowing much about them at the time I did not make much enquiries.

Q--Did you hear them afterwards draw any distinction between the cave and the hot springs?

A--I did not pay enough attention to that to tell you.

Q--You just heard them speaking of them generally?

A--Yes.

Q--Did you hear of other claimants turning up afterwards?

A--Not until I came back from Donald, last July.

Q--Then did you hear of Keefe being a discoverer?

A--Not until I returned from Donald.

Q--You never heard pf him claiming to be a discoverer until you returned from Donald, which would be in the summer of 1885?

A--No.

Q--You kept a restaurant and saloon at Canmore?

A--Yes;

Q--All topics of that sort would be discussed fully in your place?

A--That is as likely a place as any where any such matters would be discussed.

Q--Do you know McCabe and McCardell to have asserted their claim continuously?

A--I have seen no writings, but I have heard them speaking much about it and saying that they have taken claim of them.

By Mr Keefe;------

Q--What time did you hear William McCardell speak about of these springs?

A--In the fall of 1883.

Q--Did you hear him speak about them in 1884?

A--I heard him speaking about them in the spring of 1884.

Q--What time?

1190 51

A--Some time in April; I first came up to these hot springs last fall; I got over to the springs on the ferry; I don't know who owned the ferry, but I suppose the Company put it in; I crossed the ferry where the road comes to the river.
Q- What time did you leave Canmore in 1884? for Donald ?
A--Some time in the summer.
Q--Wasn't it in November?
A--I think not.
Q--Wasn't it between the last of October and the first of November?
A--I think not.
Q--Was the road through there when you went through?
A--No; the road at the end of the track was at Peterson's Siding this side of Hallister; I stayed at Donald and came back , I have said in January, but I did not come back before that.

William George Hall Sworn;-----

To the Commissioner;---

I am 28 years of age ; I was a Train-Master when I first came west of Calgary; I was train-master at all points West of Calgary; I was on construction and followed it from Calgary up to Laggan; we laid the track to within a mile and a half of the Summit; on the 2 0th. of Augustx I arrived in Calgary and took charge of the yard and on the 3rd. day of December I took charge of the road up that way. I left in December 1883, and went to Arkansaw and returned on the opening of the line the next spring. I don't remember the date I came to Medicine Hat in April; I think they opened before the 1st. of May of that year; during the summer of 1884 I ran as conductor between Medicine Hat and Laggan, and I continued up to September 16th. 1885, and since then I have been in this District.

By Mr. Lougheed:-----

Q--Will you state your connection with those springs and the first time you had anything to do with them?
A--In the summer spring of 1884 I heard of the springs from McCabe and others at Canmore, and knowing the value of hot springs from my experience at Arkansaw Hot Springs I interested myself

408

To the Commissioner:—

I am 26 years of age; I was a Train-Hunter when I first came west of Calgary; I was transferred to all points West of Calgary; I was on construction and followed it from Calgary up to Laggan; we laid the track to within a mile and a half of the Summit; on the 2 0th. of August I arrived in Calgary and took charge of the yard and on the 3rd. day of December I took charge of the road up that way. I left in December 1885, and went to Arkansas and returned on the opening of the line the next spring. I don't remember the date I came to Medicine Hat in April; I think they opened before the 1st. of May of that year; during the summer of 1884 I ran as conductor between Medicine Hat and Laggan, and I continued up to September 15th. 1885, and since then I have been in this District.

By Mr. Longheed:—

Q—Will you state your connection with those springs and the first time You had anything to do with them?

A—In the summer spring of 1884 I heard of the springs from McCabe and others at Canmore, and knowing the value of hot springs from my experience at Virginia Hot Springs I interested myself

82

Q—Some time in April; I first came up to these hot springs last fall; I got over to the springs on the ferry; I don't know who owned the ferry, but I suppose the Company put it in; I crossed the ferry where the road comes to the river.

Q— What time did You leave Ca...ore in 1884? for Donald?

A—Some time in the summer.

Q—Was't it in November?

A—I think not.

Q—Was't it between the last of October and the first of November?

A—I think not.

Q—Was the road through there when You went through?

A—No; the road at the end of the track was at Beaverdale Station side of Palliser; I stayed at Donald and came back, I have said in January, but I did not come back before that.

William Robertson Hall Sworn:—

408

1190

as

409

1190



in the , and asked to be allowed to go in to the Company and buy my way in and I would do all I could for them, and I came so and went to Ottawa in 1885; it was in the spring of 1884 I first heard of them and I went to Ottawa in June 1885 as the agent of McCabe and McCardell with power to act for them I had a power of attorney and I interviewed Mr Burgess in the presence of Dr. Sproule of Grey and W. Clarke Wallis of West Yorke and my brother, a conductor running west of Toronto, and I stated the case aswell as I could and Mr Burgess promised to give Mr Wallis a letter giving McCabe and McCardell the price right to thee spring The letter was asked for then and Mr Burgess stated it was out of the general routine and we would have to wait a while; I left Ottawa and came here and we have never heard anything about the letter since and Mr. Burgess did not give it; when I left here I began running between Medicine Hat and Canmore and early in August I met Mr Woodworth and he asked me the prospects of getting through through the Mountains and I told him as near as I could, and I told him he ought to stop off at the Springs as he went through; and he asked me about them and he asked me who owned them, and I told him I was interested with others. Mr Woodworth asked me who was working the case for me, and I told him Clarke Wallis and Mr Sproule were the only ones who had interested themselves in my behalf. He remarked that their influence did not amount to anything, but if we would allow him to have an interest that he could get the springs for us, as his influence with the Minister of the Interior was very great: Mr. White was a very particular friend of his; that he owed his position as Minister of the Inerior to him, in fact he was positive he could get the springs for us. He also introduced me a

1190



a man named Macdougall; he introduced him as Macdougall, and presented an Annual Pass No. X833 for Mr. Macdougall, and I carried this man as Macdougall, and knew him as Macdougall for several days, I don't know how long, until Dr. Brett told me there was no such man as Macdougall in Parliament, and through that I introduced Mr McCabe and MR. Macdougall and Mr. Grierson and they agreed to take a sixth interest and pay an equal share with the other four, and the papers I had drawn out with Mr. Bleecker at Calgary and Mr. Woodworth refused to sign, and the next I heard of it he had bought McCabe out.

Q--Didn't Hall, Grierson and McCabe have a preliminary partnership arrangement prior to Woodworth appearing on the scene?
A--Yes.
Q--What date was that entered into?
A--In May 1885.
Q--Have you a copy of it with you?
A--No, but I can give it to you almost verbatim; I have a copy of most of it in my pocket; It differs in this way that there was a space left for the other names which were not put in and it was understood that no member could sell without giving the other members of the Company the refusal.

Mr Longhead;--

There was a copy registered in Calgary and I will put in a copy of it.

Mr Woodworth says he would like to see a copy of it.

Mr. Commissioner;--- I will send you a copy if you wish it and write me.

Mr Longhead;---

Q--What capacity did this Macdougall fill when he was introduced to you?
A--A member of the Dominion Parliament and co-operator with Mr. Woodworth there.
Q--Whom did you afterwards ascertain this Macdougall, a member of Parliament to be?
A--E. H. Fitch, of New York.
Q--In what way did you introduce him after Mr Woodworth introduced him you to him?
A--Mr Macdougall.
Q--Did he set you right?
A--He did not, and I accused him of having introduced Mr. Fitch under the wrong name, Macdougall, and he did not say anything about it and I did not see Fitch after I found it out. He hid himself.
Q--And under that assumed name he was passed over the C. P. R.?
A--Yes.

a man named Macdougall; he introduces him as Macdougall, and

presented an Annual Pass No. 2653 for Mr. Macdougall, and I

carried this man as Macdougall, and knew him as Macdougall for

several days, I don't know how long, until Mr. Brett told me

there was no such man as Macdougall in Parliament, and through

to

that I introduced Mr McCabe was Mr. Macdougall and Mr. Grierson

and they agreed to take a sixth interest and pay an equal share

with the other four, and the papers I had drawn out with Mr.

Bissoker at Calgary and Mr. Woodworth returned to sign, and the

next I heard of it he had bought McCabe out.

Q---Did Mr. Grierson and McCabe have a preliminary partner-

ship arrangement prior to Woodworth appearing on the scene?

A---Yes.

Q---What date was that entered into?

A---In May 1898.

Q---Have you a copy of it with you?

A---No, but I can give it to you almost verbatim; I have a copy

of--most of it In my pocket; It differs in this way that there

was a space left for the other names which were not put in and

it was understood that no member could sell without giving the

other members of the Company the refusal.

Mr Longhead:--

There was a copy registered in

Calgary and I will put in a copy of it.

Mr Woodworth says he would like to see a copy of it.

Mr. Cowan:--I will send you a copy if you

wish it and write me.

Mr Longhead:---

Q---What capacity did this Macdougall till we

he was introduced to you?

A---A member of the Dominion Parliament and co-operator with Mr.

Woodworth there.

Q---When did you afterwards ascertain this Macdougall, a member of

Parliament to be?

A---R. Fitch, of New York.

Q---In what way did you introduce him after Mr Woodworth introduced

duced him you to him?

A---Mr Macdougall.

Q---Did he set you right?

A---He did not, and I accuse him of having introduced Mr. Fitch

under the wrong name, Macdougall, and he did not say anything

about it and I did not see Fitch after I found it out. He hid

himself.

Q---And under that assumed name he was passed over the C. P. R.

A---Yes.

1890

Q--What conversation did you have with Mr Woodworth about this arrangement with McCabe and McCardell?

A--I told him the contents of it, as near as I could.

Q--How long before McCabe made this assignment?

A--The whole transaction did'nt last more than 6 or 7 weeks from the time Mr Woodworth came here until I left the country; I think it was July or August that he came.

Q--Were you present here when McCabe executed this assignment to Mr Woodworth?

A--I was not.

Q--Would you explain how you came to register the assignment made to you and Grierson with the Register of Lands in Calgary?

A--I thought it was the place to do so; I had a little bit of transaction with regard to the transfer of land &c, and what I had done was always done through the County Registry Office, and I thought the registry office at Calgary was the proper place to register the document; Grierson and I delivered it personally to Mr McLean and he did not explain that it was not the proper place for it, but he accepted it and I paid the fee ($5,00) and I think I ascertained it from Mr Lougheed in Calgary in Sept. 1885, that it was not registered in the proper place, and we went to the Registry Office and endeavored to get the papers, and they were refused; I asked for a certified copy and I understand that it was to be obtained, but I don't know whether it was or not, because I went away. I think Mr McLean promised to produce a copy when I went to Ottawa; I notified Mr. Burgess personally when I went to Ottawa about my claim; otherwise I don't think there was any action taken except what was taken by Mr Lougheed, our attorney. There is a statement in Fitch's evidence which is not correct; it is this--If S R Fitch states that he was the first to explore that upper cave I contradict it; I came there and Fitch told me that they had been opening up the hole very slightly, but they could not get anybody to go down there, and they could not get a candle to burn down there, and it was very dark, and I undertook to go down if they would put a rope around me, and this I done; I went in and remained about 10 or 15 minutes and came out with the first specimen ever taken out of the cave; they became anxious about me up above and they thought I had dropped off the rope, because I stayed down so long, and a man named Charlie Diamond came down and met me when I was coming up; I was the first man; Diamond was the second and Inspector Perseu third; that is the cave directly above the spring cave; Fred Woodworth and Fitch opened the hole a little bit and I went in.

Q--Will you state to me why Fitch travelled under the name of Macdougall?

A--I don't know unless it was to obtain a free ride; he travelled to my knowledge from Medicine Hat to Canmore on an annual pass No. 2633 issued in favor of one Macdougall, I or J. Macdougall it was a complimentary pass over the whole line given by Mr Van Horne, issued by the Vice-President.

Q--Do you still retain your interest in this discovery under this agreement?

A--I do.

Q--I believe you and Mr Woodworth had some disagreement over these matters?

A--We had.

1190



---will you state the nature of that.'
---The commencement of the disagreement---

Mr Woodworth here objected to this evidence being given.

Mr Lougheed states that owing to a disagreement between Mr Hall and Mr Woodworth the latter has taken other steps than were contemplated when they were on good terms, and it may prejudice Mr Hall' s claim if it is not given.

Mr Woodworth still objected.

The Commissioner allowed the evidence to be given.

Witness;----Mr Woodworth was , verbally, accepted as one of the Company, and we, through his influence with Mr. Dewdney, decided that he had better go to Regina to get a Ferry License for the Springs Company to run a ferry across the river for the "Alberta Hot Springs Company" and he went to Regina and got a license for one Frederick Woodworth to run a ferry between the Falls, west three miles on the Bow River. He explained to me that it did not matter and I did not say anything to him until I met some of the Company and I stated Mr Woodworth is playing crooked and we will have to put our foot down on it, and I put my foot down on it. Mr Woodworth said to me in these words---------" Hall, you keep your mouth shut and be careful what you are doing or I will send you out of this country" I asked him in what way, and he wrote out a telegram which I have; no name signed to it, stating how he was going to send me out of the country. It was to W. C. Van Horne and said "Your Conductor, George Hall, between Medicine Hat and Calmore is using his position as conductor carrying people to and fro from the Banff Hot Springs on your train" or using your train for that purpose, without collecting any fares' and he said "If you don't keep quiet this is the message I will send to Mr. Van Horne" and I had found out about Fitch travelling under the assumed name and I told him what I would do about it,and I done so; I telegraphed to Mr. Egan the fact that this man was travelling on Macdougall's pass, and that is the nature of the disagreement . Mr Woodworth bought a hotel at Silver City for $600, I think it was, and I was to put up some money and was to pay the money at a certain date, which he had not done when I left the country, and the hotel was torn down and brought over to the track. The Hotel was to be brought down and put up at the springs; I think Mr Berg, of Calgary, was one of the men who had a mortgage on the hotel and I and Grierson

---) You state the nature of that.'

---the agreement of the discharge.---

Mr Woodworth here objected to this evidence being given.

Mr Longhead states that owing to a difference between Mr Hall and Mr Woodworth the latter has taken other steps than were contemplated when they were on good terms, and it may prejudice Mr Hall' s claim if it is not given.

Mr Woodworth still objected.

The Commissioner allowed this evidence to be given.

Witness;---Mr Woodworth was , virtually, accepted as one of the Company, and we, through his influence with Mr. Dewdney, decided that he had better go to Regina to get a Ferry license for the Spring Company to run a ferry across the river for the "Alberta Hot Springs Company" and he went to Regina and got a license for one Frederick Woodworth to run a ferry between the Falls, west three miles on the Bow River. He explained to me that it did not matter and I did not say anything to him until I met some of the Company and I stated Mr Woodworth is playing crooked and we will have to put our foot down on it, and I put my foot down on it. Mr Woodworth said to me in these words-------" Hall, you keep your mouth shut and be careful what you are doing or I will send you out of the country" I asked him in what way, and he wrote out a telegram which I have; no name signed to it, stating how he was going to send me out of the country. It was to W. O. Van Horne and said "Your Conductor, George Hall, between Medicine Hat and Canmore is using his position as conductor carrying people to and fro from the Banff Hot Springing on your train or using your train for that purpose. Will out collecting any

farepa" and he said "If you don't keep quiet this is the message I will send to Mr. Van Horne" and I had found out about Mitch

travelling under the assumed name and I told him what I would do

about it,am I sorry now; I telegraphed to Mr. Egan the fact that

this man was travelling on Macdougall's pass, and that is the

nature of the disagreement . Mr Woodworth bought a hotel at

silver city for $800, I think it was, and I was to put up one

money and was to pay the money at a certain date, which he had

not done When I left the country, and the hotel was torn down

and brought over to the track. The Hotel was to be brought down

and put up at the springs; I think Mr Horn, of Calgary, was one

of the men who had a mortgage on the hotel and I and Grierson

consulted about this; I paid nothing on the hotel, but I told Mr. Woodworth that I would have money in a few days. Mr Woodworth did not carry out his threat with regard to sending the report to Mr Van Horne. He made a report to Mr. Egan which was false partly, and was also the cause of my getting discharged from the position on the road. I am still a claimant with McCabe, McCardell and Grierson for the Banff Springs, which would include the upper and lower springs. The information that I have about McCabe and McCardell being the discoverers is what I got from themselves early in 1884 in one of the first trains west, which would be previous to July. In the month of July I was running between Calgary and Laggan; it would not be later than June when I first heard of McCabe and McCardell being the discoverers of the Hot Springs here; it referred to what is now known as the Hot Springs: I knew they were there and they were the discoverers. It was the gossip of every body in the country.

Q--Had Mr Keefe arrived in the country when you first heard of these?

A--No.

Q--When did you first go up to the hot springs?

A--On the day Mr Gordon came to investigate McCabe and McCardell's claim.

Mr Commissioner:--

That would be the 1st. of June 1885.

Q--What did you ascertain afterwards of Mr Keefe's claim to the hot springs?

A--I have heard Keefe say that he was the first one to go to the springs; that he placed a road there, and that McCabe tried to get there and did not succeed; I have heard that a good many times; I could not say when I first heard it. I understood Hot Springs were included in this agreement of which I have spoken. The Company was "The Alberta Hot Springs Company".

Cross-examined by Mr. Woodworth:----------

Q--Do you remember what time it was that I came up in the year and in which you had the conversation with me?

A--I don't remember the date exactly; July or August: early part of August, or the last of July.

Q--Can't you get at it nearer?

A--I think it was the 20th. of July when you first came.

Q--I was on my way here?

A--Yes I think so. I am not sure of the date; it was in July or

1190

57

early in August.
Q--You had been to Ottawa?
A--Yes.
Q--You told me the result of your mission?
A--Yes.
Q--Did you tell me that Mr Burgess said that poor man could not have them?
A--I may have told what you that Mr Burgess did tell me that the hot springs were too valuable to allow them to pass into the hands of speculators, or men who did not have money to work them; he told me that in the presence of the men I have mentioned.
Q--That is substantially what I have written here in my letter to Burgess?
A--That is not the time of Mr Burgess' remarks.
Q--Did I tell you that I had written to Mr Burgess?
A--I could not say.
Q--Did I tell you that Mr Burgess could not have said such a thing; that a fairer man than he was not in the Dep't?
A--I don't remember.
Q--Do you remember my telling you that Mr Burgess could not have said what you said he did say?
A--I do not.
Q--That it was wholly unlikely; that even if he thought it so he would not say it?
A--I don't you remember you saying anything of the kind.
Q--Who was present when it was agreed that I should get the hot springs, or license for the ferry?
A--That I don't remember, but I think Grierson and Fitch; there was others there, but I am not sure; it was a kind of mutual agreement that it should be got.
Q--Was Grierson there?
A--I cannot remember exactly.

Mr Commissioner;---- Had Fitch an interest?
A--Macdougall was to have one-sixth interest the same as Mr. Woodworth's, and that interest was to be given to him on account of his being a member of the Dominion Parliament, and his influence was to be used with Mr. Woodworth's to obtain the Hot Springs for us.

Mr Woodworth;---Were they to pay a portion of the expenses?
A--They were; an equal portion of the expense with myself.

By Mr. A e e f e-----

Q--At the time Mr Woodworth applied did you know that I had applied for it------the ferry license?
A--Yes.
Q--Did'nt you suggest to him to go down and get it ahead of me?
A--I don't know that I did; I did not know that you had applied until Mr Woodworth came back from Regina and he told me that your application was in ahead of his, and that he got the best of it.

Mr Woodworth;---
--o you say that on your oath?

1190



early in August.
Q--You had been to Ottawa?
A--Yes.
Q--You told me the result of your mission?
A--Yes.
Q--Did you tell me that Mr Burgess said that poor man could not have it on?
A--I may have told you that Mr Burgess did tell me that the post offices were too valuable to allow them to pass into the hands of speculators, or men who did not have money to work them; he told me that in the presence of the men I have mentioned.
Q--That is substantially what I have written here in my letter to Burgess?
A--That is not the time of Mr Burgess' remarks.
Q --Did I tell you that I had written to Mr Burgess?
A--I would not say.
Q--Did I tell you that Mr Burgess could not have said such a thing; that a fairer man than he was not in the Dep't?
A--I don't remember.
Q--Do you remember my telling you that Mr Burgess could not have said what you said he did say?
A--I do not.
A--That it was wholly unlikely; that even if he thought it so he would not say it?
Q--I don't you remember you saying anything of the kind.
Q--Who was present when it was agreed that I should get the post office, or license for the ferry?
A--That I don't remember, but I think Wiseman and Vicars; there was others there, but I am not sure; it was a kind of mutual agreement that it should be got.
Q--Was Grierson there?
A--I cannot remember exactly.

Mr Commissioner:---- Had either an interest?

A--Necessarily was to have one-sixth interest the same as Mr. Woodworth's, and that interest was to be given to him on account of him being a member of the Dominion Parliament, and his influence was to be used with Mr. Woodworth's to obtain the lot Springs for us.

Mr Woodworth:--Hereafter to pay a portion of the expenses?

A--They were; an equal portion of the expense with myself.

By Mr. Ross:---

Q--If the time Mr Woodworth applied did you know that I had applied for it------the ferry license?
A--Yes.
Q--Did not you suggest to him to go down and get it above of us?
A--I don't know that I did; I did not know that you had applied; but if Mr Woodworth came back from Regina and told me that your application was in ahead of his, and that he got the grant of it.

By Woodworth:---

Q--Do you say that on your oath?

1890

88

1190

58

--- No.

Mr Woodworth objected to these statements as to what the witness, stating that what he was saying was grossly untrue, and could prove it by Lieut Col Dewdney's books.

--Before;----Don't you know that I had a ferry running there when you came up there?
--I saw a ferry that was acknowleged to be yours.
--Didn't McCabe tell you that he knew I had a prior claim, but he thought he could beat me out of it by staking it out and getting Jim Grierson and McNeil ?
--- No.
--You have heard me say I discovered the Hot Springs?
A--I have.
--Who did you write Mr Woodworth had discovered the springs first?
--I don't know.

Statement by witness;---- Mr Woodworth, if I remember distinctly, told me that the telegram was sent by some person here for Keefe before Woodworth got there, and he said he got the best of him.

Mr. Lougheed;----That is the whole of McCabe and McCardell's Claim.

1191 Joseph----Healy----Sworn;----

To the Commissioner;---- I am 41 years of age; I was born in Ireland; I am not a British subject; I am an American Citizen; I first came into the North-West Territories in 1863 from Montana; I have been in the North-West since the summer of 1867; I have spent several summers in this country too; I would average about five months out of the country, but I was seven years in the country continuously; part of the time I was on the British Columbia side; I first struck the Bow River Valley in 1863; I first saw the neighborhood of Banff in 1874; I saw the hottest spring that runs into the Spray River in July 1874; travelling down the Spray River I came there and I went up the mountain and discovered the spring; I did not discover any other springs at that time, but I did subsequently; I discovered the cave and basin the next year, or the year after. I am not posi-

1191

tive which; it would be 1875 or 1876; I did not make any mark to indicate that I had been there when I discovered them, but I reported the discovery to parties with me in 1874; I reported to Nicholas Sheean (now dead) and Ned Dan, who is in Montana and Joe Corrand a Spaniard, who is also dead; I reported to them in 1874 in 1875 or 1876 when I discovered the other springs I reported it to my brother Jack who was at Benton; I think he was in the North-West, at Whoop-up when I made the discovery; I reported the discoveries to different parties, but not to very many; I thought it would be advisable in my own interests to keep it quiet as far as possible and I never took any steps to obtain official recognition of them and I have no reason to give why I did not take steps to have such recognition by the Government.

Cross-Examined by Mr. L o n g h e a d:------

Q--Did you ever hear of the Snider Brothers being here?

A--I have not.

Q--When you discovered the cave in 1875 did you see any trace of a shack being there?

A--I did not; I am not positive whether it was 1875 or 1876 that I was there.

Q--What period of the year would it be?
A--In October or November.
Q--You saw no indication of Young's shack being there?
A--I was not there in the place where Young's Camp is now.

To The Commissioner;-----

I never heard of Young wintering there or the Frenchmen up at Silver City; I have heard Mr Young telling me of him wintering there. I have not put in any application for the springs.

Cross-Examined by Mr. Keefe;-----

Q--Didn't you think the hot springs were valuable?

A--Yes;

tive writing; it would be 1875 or 1876; I did not make any mark to indicate that I had been there when I discovered them, but I reported the discovery to parties with me in 1874; I reported to Mr. Silas Sheard (now dead) and Ned Dun, who is in Montana and for command a Spaniard, who is also dead; I reported to them in 1874 in 1875 or 1876 when I discovered the other springs I reported it to my brother Jack who was at Benton; I think he was in the North-West, at Stoop-up when I made the discovery; I reported the discovery to different parties, but not to very many; I thought it would be advisable in my own interest to keep it quiet as far as possible and I never took any steps to obtain official recognition of them and I have no reason to give why I did not take steps to have such recognition by the Government.

Cross-Examined by Mr. Longheed.----

Q---Did you ever hear of the Snider Brothers being here?

A--I have not.

Q---When you discovered the caves in 1875 did you see any traces of a shack being there?

A---I did not; I am not positive whether it was 1875 or 1876 I was there.

Q---What period of the Year would it be?
A---In October or November.
Q---You saw no indication of Young's shack being there?
A---I was not there in the place where Young's Camp is now.

To The Commissioner:----

I never heard of Young until [illegible] there or the Frenchmen up at Silver City. I have heard Mr Young telling me of him wintering there. I have not put in any application for the springs.

Cross-Examined by Mr. Keefe:----

Q---Did'nt you think the not springs were valuable?

A---Yes;

is worth your while to go over and look at them. He mentioned
here he said there are hot springs close to the track, and it
on the road a few days and when McCabe knew I was working up
would be about the 15th. or 18th. of July before I went to work
was when I was riding with Frank McCabe through to Calgary, when
---The first time I learned that there were any hot springs here
this locality----vicinity

--- He did you first learn that there were any hot springs in

Calgary and brought my family up here and I have been here ever
since that permanently until this winter when I went down to the
here for four weeks on a visit and I have been here, and my
family have been here ever since I have made this my home.

I came here on Sunday and the following week I went down to
they went in in July, and they go in on the 27th. of the month
there. And I had two or three days in in the time boats when
on my way coming west: I came through from Fargo and stayed in
Winnipeg a week, and the came on to Calgary and I went to Strath-
cona on the 3rd. of June 1884 and I stayed in Winnipeg a week
on the road a few days from the time I discovered them.
A---No: I do not come here as a claimant;although I knew about
Q---Did you ever do so?
A---Yes.
---You could have made application for it if you had liked?
A---Yes;
---You have been at the hot springs for two years?
A---Yes.
---You knew you could make application?

8C.

Q---You knew you could make application?

A---Yes.

Q---You have been at the hot springs for two years?

A---Yes;

Q---You could have made applicat ion if you had liked?

A---Yes.

Q---Did you ever do so?

A---No. I do not come here as a claimant;although I knew about them I never made any claim from the time I discovered them.

D a v i d---K e e f e ------ S w o r n;------



To the Commissioner;--- I was born in New York State, and am still an American citizen; am a married man; I left Helena, Montana on the 3rd. of June 1884 and I stayed in Winnipeg a week on my way coming west; I came through from Fargo and stayed in Winnipeg a week, and the came on to Calgary and I went to Strathcona and stayed a week running a surfacing gang, and I came right on to Banff and took charge of the surfacing gang with Ole Johnson here, and I had two or three days in in the time books when they went in in July, and they go in on the 27th. of the month: I came here on Sunday and the following week I went down to Calgary and brought my family up here and I have been here ever since that permanently until this winter when I went down to the States for four weeks on a visit and I have been here, and my family has been here and I have made this my home.

Q---When did you first learn that there were any hot springs in this locality---vicinity

A---The first time I learned that there were any hot springs here was when I was riding with Frank McCabe through to Calgary,which would be about the 15th. or 18th. of July before I went to work on the road a few days and when McCabe knew I was working up here he said "There are hot springs close to the track, and it is worth your while to go over and look at them". He mentioned

1192



the Jews to Jericho, and not the hot springs at all; the first Sunday that my family came here I worked around the house, and the second Sunday there was a party came up here to go to the springs, and I did not hear that they got over here, but the second Sunday I was here I built a little raft with a young Englishman, who is in England now, and Dr. Longstaff of London England and I took these two men over on the raft; that would be some time about the middle of August and I took them both across and since then I have been backwards and forwards to the springs, and up to the time that I built the raft I never heard or any way to get across. I hunted up and down the river before I built my raft and I could not find any way to get across; McCabe and Churchill said that they went across on a raft, but I could not see any raft there except the one I built, and two or three weeks afterwards I built another larger one and the first raft I made remained until 1885, and it was lost, and some more plank was sent up to me to make another one some way in the spring of 1885 and I took it up and constructed another raft and we worked hard to get it straightened up and it remained there until the Governor-General and party came up last fall; Mr Shields, the Assistant and I put the rope across there; I furnished the rope; it was sent from Charles Gleeson in exchange for telegraph wire; Mr Shields was present at the time I got the rope and I told him all about it and everything else.

Q. Did you do anything towards making a pathway

A. Yes; I cut a road to take in a Frenchman who was sick at the City in the forepart of March, 1885, and there was no other way to get near or else we worked and made a road to let the horse and buggy come to the foot of the lane and I carried him from there to the foot of the hot springs. The way first we went over the hot springs was traversed the whole

1892



the dove on Beach, and not the hot springs at all; the first Sunday that my family came here I worked around the house, and the second Sunday there was a party came up here to go to the springs, and I did not hear that they got over here, but the second Sunday I was here I built a little raft with a young English man, who is in England now, and Dr. Hempstaff of London Square and I took these two men over on the raft; that would be some time about the middle of August and I took them both across and since then I have been backwards and forwards to the springs, up to the time that I built the raft I never heard of any way to get across - I hunted up and down the river before I built my raft and I could not find any way to get across; Moseby & Mountfall said that they went across on a raft , but I could not see any raft there except the one I built, and two or three weeks afterwards I built another larger one and the first raft I made remained until 1885, and it was lost, and some more plans was sent up to me to make another one some way in the spring of 1885 and I took it up and constructed another raft and we worked hard to get it operation up and it remained there until the Government-General and party came up last fall; Mr Bleloss, the Assistant, and I put the rope across there; I furnished the rope ; it was from Carlos Gleason in exchange for telegraph wire; Mr [illegible] made it at the time I got the rope and I took him all

[illegible]

[illegible] you do anything towards making a pathway

--Yes; I put a road to this is a Frenchman who was about [illegible] City to the Corpuart of March 1885, and there was no other [illegible] any or like of us worked and made the road to let the horse and buggies to the foot of the one and I carried him [illegible] to the foot of the hot springs. The way [illegible] the hot springs was [illegible]

1192



this around there and I found the water and the [illegible] up to the Cave, and I found in there there was water there; I was out every Sunday all fall and kept out every Sunday when I was there and there was no indication of anybody being in there because there was one place a man could not get in without cutting the brush away, and I cut the brush away and got in, and I made up my mind that that was not the place where the water originated and I kept prospecting around all the time and I started up some sheep on Tunnel Mountain, and they crossed the Bow River on the Saturday evening; on the Sunday morning I started out and I crossed the Bow River and I came across where Foote's ranch is now and I took off my boots and forded the river, it was pretty cold, and I followed up the track and I saw the water coming out white stuff and I came here and told [illegible] Mc-Dowell, and the next Sunday Mr and Mr McDowell started out to find the hot springs, that would be about the first or second Sunday in October, and Dan McDowell got mad because the brush was so terrible thick and we could not make no headway and we got lost, and he said we had better go home and I kept on for a little while returned home, and the next Sunday I took a little lunch with me and I started out early in the morning, I started on Sunday the 9th, I think, and about [illegible] struck the hot springs; I climbed a tree to take my bearings and I saw the river and I took off my boots and washed my feet and I stripped the bark off a tree and wrote my name [illegible] on it, [illegible] I told them I had been [illegible] terrible [illegible]

1192



Cliffe Johnson if he stuck with me and it amounted to anyt ing we would stand in together, and afterwards Cliffe Johnson and I went up somewhere along the line and another man, who's name I can't remember, and we went around to the cave and we found the sulphur on the rocks and we took it out of the cave and I told Shields about it, and he said "we will go up some day" and we started out somewhere in January or February and we started out Burke, Shields Alex McDonald and me and the snow was so deep that we could not find them, but the next morning I started out with Shields and we found them and we came back here and ever since that time there has been people going continuously to the hot springs; I wrote my name on two trees there; one is cut down but the other is there yet; I blazed a line down to the falls, and Shields was with me at the time; I took Dr Lynch up there once.

Q--Who was the first man to try the properties of that Hot spring
A--Alex McDonald went up first; I advised him to go there; he was able to get up and got wet in going up, and never went there again and the next man that went up was Scott- Payne, of Macleod; George Whitman put up the first building at the hot springs and Mr Sebring went up there in March to build a house for a Frenchman there, and I told him if he would go up higher it would be better, and the logs that were taken out for the house are now being used for the bath house there now; Mr Whitman was up here last fall and went back to Calgary
Q--Who put up the first shack that is put up there
A--That is the one that McCabe built after Sebring had been there I think.
Q--Do you know when that was built?
A--It was built some time the latter end of March; that is the first shack built there excepting the Sebring shack.
Q--What would you value Sebring's improvements at?
A--I suppose it would take a man may be a day to cut those poles and put them up, a man accustomed to handling the axe: I think McCabe's shack was built by Martin McDonald, now dead.
Q--When Mr Gordon came here to investigate into the claims of those springs why did'nt you prefer a claim to those springs?
A--I did prefer a claim to them, and he said to get somebody and make a proper application, and I went to Mr. McLean at Calgary and later on I went to Mr. Pierce; I told Mr Gorton in my house that I discovered the hot springs and I told him that I was going to put a claim in; I claim that I have done more to, open up the springs and put the first navigable way to get to the springs, and if there is any reward to be given anybody for

discovering them and improving them I should get it; I brought my brother here from St Paul and paid his expenses to have him cured of Salt-Rheum, and I have a brother-in-law coming here on Sunday for the same complaint, and I did everything I could to extol its virtues and I brought people here unable to walk, on my hand car when I knew that it was against the rules of the Company and I justified my course with the Company by saying that the more I did in that way the better it was to advertise them, and improve their business.

By Mr Lougheed;---Have you any recollection of Mr McCaee telling you that vapour could be seen from the Spray River?
A--He never told me, and a man cannot see it from the Spray River; I never heard a man mention the hot springs until after I had been there and told people, and then it was told afterwards; I think I was the first man who went down the cave with a rope with the other man and Dr. Longstaff.
Q--When did you blaze that road, previous to or subsequent to Mr Shields being up there with you?
A--It was the occasion when Mr Shields was with me the first time we started to go up; we did not get there and the next morning we got there and I blazed the road.
Q--Previous to that O'Connell had lost his way?
A--Yes;
Q--And to prevent any difficulty you blazed the trees?
A--Yes; I blazed the trees with a hand axe, and part of the trail followed the same way.

By Mr Woodworth;------

Q--You saw the new road made from the springs to the river made by Fitch?
A--Yes;
Q--Knowing that road and everything about it what would you undertake to do that work? for?
A--I would not do the work about of $200.

Mr Lougheed;---
Q--Have you examined the work done?
A--I have been over the work several times; went over it to examine it; I went over it this winter; I have worked in the East in Fineries.

Mr Commissioner;---
Q-----Did you ever make any measurements to see how much they cut out?
A--No; I was working there alongside of them when they were cutting the stumps out; I was working on the C. P. R. at the time and they were taking out stumps there, and I was raising the track there; I think the men worked alongside the track for two days taking out stumps and they cut the road out from the springs up to the cave, and there were willows in there.
Q--Who cut the trail out from the track to the Ferry?
A--I did; the new road was not used at all, because the

1192



ferry is further up;
Q--Which side is the new road on---of the river?
A--It is across the river from here on the cave side, may be 15 or 16 feet wide; we had enough for a wagon--to pass;
Q--How long?
A--I never measured the distance; it must be all of 8 or 9 rods; it is all through willows; it left the river right across from where they used to get off the handcar 80 rods below the ferry; they told me the road was cut in Mr Woodworth's interest there.
Q--He did two days work there along side the track?
A--I saw them two days there; they may have been working longer I was up and down the track but I think it took them about days to do the work north of the road, in making the road.

Mr Lougheed;----

Q----Have you any recollection of telling anybody that you saw the vapour rising from the Spray River?

A--Never.

Q--Did you tell anybody that is how you discovered it?
A--I saw it above the river; I saw a kind of fog early in the morning, but there is no vapour except in cold weather; I was right across from it opposite the mountain when I saw it rising up quite a way in the Mountain.
Q--So that you can saythat it would not appear to your mind to be an impossibility for one to see it from the Spray River?
A--I could not see it and I went up with Mr Johnson to look for it on the bed of the river, and we could not see it.
Q--You say some times the mist rises and some times it does not and it may not have been rising on that occasion?
A--I claim that a man cannot see the vapour from the river.

By Mr. Spring;--

Q--The day you and Mr Shiels were up did you come down to the shack?
A--No; I came the next day.
Q--I was there then?
A--Yes you were there at the cave building a shack for the Frenchmen; that was in February 1885--either January or February ---it was in 1885 anyway.

1193

[illegible]

By The Commissioner;-----

I am a native of Sweden; I never was a British subject; I never had a chance; I was going to become one; I came to Banff in May 1883; the first work I got was on the Railway and I followed the Railway up to Silver City. I lived in Silver City working for a Mining Company but I could not exactly say the date; but some time in September 1883; we worked until the 1st or 2nd of October and then [illegible]

Mr Longhead:----

Q---Have you any recollection of hailing anybody that you saw the vapour rising from the Spray River?

A---Never.

Q---Did you tell anybody that is how you discovered it?

A---I saw it above the river; I saw a kind of fog early in the morning, but there is no vapour except in cold weather; I was right across from it opposite the mountain when I saw it rising up quite a way in the mountain.

Q---So that you can say that it would not appear to your eye to be an impossibility for one to see it from the Spray River?

A---I would not see it and I went up it Mr Jonsson to look for it on the bed of the river, and we could not see it.

Q---You say some times the mist rises and some times it does not and it may not have been rising on that occasion?

A---I claim that a man cannot use the vapour from the river.

By Mr. Bayfield:--

Q---The day you and Mr Fields were up did you come down to the mine?

A---No; I came the next day.

Q---I was there then?

A---Yes you were there at the cave building a shack for the Pre-emptor; that was in February 1888--either January or February ---it was in 1888 anyway.

To The Registrar:----

1193

1193



ver from Calgary to take hold of the coal mine and I took charge of it and we came to Banff on the 6th. of November, 1883 and since then I have been here constantly.

Q--You have heard Mr Keefe's statement with regard to his visit to the hot springs by himself and you?
A--Yes.

Q--Is his statement correct?
A--Yes, as far as it relates to me.
Q--Were you ever there before?
A--No I never saw the hot-springs before; that was the first time I have been there since; I went with the Government agent to help him survey it with Mr Belanger; I was with him a couple of days.
Q--You claim that that verbal agreement between you and Mr Keefe that you are to share and share alike is in force
A--Yes; that is what he said when I came up; if I would go along with him that he would give me half of whatever we got, and I asked the other man to go along but he did not claim anything. He just came along to see the springs.
Q--Have you ever done anything towards developing them, in the way of building roads, or cutting trails?
A--No.

By Mr. K e e f e:--
Q--Did you know McCabe before you saw him: me?
A--No.
Q--Did you hear anybody speaking about those springs until I spoke to you?
A--No, only the time and you were the first man who showed it to me. I first saw it in the fall you showed me the way to get over there. I never went there in this way down to build the shack for the wheel on and he asked me how far it was to the other spring, the hot spring, and I told him about a mile and three quarters and he went up there, and I understood that he put the logs around the hole: Mr Seering himself told me that; he said that he had put in a claim for the spring and I told him I don't think you can get it. I have put in a claim too.

1194

D a v i d--W e w s--S w o r n.

To the Commissioner:--
I am 31 years of age; I have lived in the vicinity of Banff, or I have been on construction from 883 to 1883; I finished construction about August and since then I [illegible] the winter of 1883-4 I was at St. Louis; I re-

1194

67

turned the following summer and was Section Foreman about Silver City; I commenced there in May and I worked until July and then went to Canyon Creek July 1884 all fall and I was changed to Silver City and I worked there all that winter; last summer I was tracking West and last winter I stopped here at the springs.

By Mr Keefe:---

Who did you hear speak first about these hot springs?

A--About the cave and basin McCabe; I never heard him mention it before we spent the week here in the latter part of March, or the forepart of April 1885; I first became acquainted with McCabe in the fall of 1884, and I had seen him repeatedly after that; I was well acquainted with him.

Q--He would tell you of lots----anything in business matters?

A--I don't know.

Q--You were in his company a great deal?

A--I was.

Q--You never heard him mention the real hot springs until that time when you were up here?

A--Not McCabe stated to me that he wondered if he could not hold both the upper and the cave and basin spring under one and the same claim; he told me that he was going to put a claim in for the upper spring and stake it out; I was there in Herring's shack while we were preparing the other one. I don't know who the shacks were built at the real hot springs; I assisted in building the shacks at the real hot spring; there was just a few poles on it, but there was no door on it; I understood Mr. Herring built the shack at the mouth of the spring; I believe it was built in March when I went there; I brought the stove from Silver City with Moriarty and put it in the shack and we went up to the hot springs together; we saw marks out to the real hot spring when we got there; you and Mr Shields and Mr Burke were up there the day before and we followed your foot marks to place; they were fresh marks and we followed them; you left the basin to go there.

Q--Did you ever hear Tom McCardell or Billy McCardell say they found the spring before that time when we went up?

A--I was not acquainted with them at that time; I heard you, and I heard Frank McCabe mention that there were better springs there; I heard Howat say that there were better springs there the week we were there in March.

Mr Loughead:--You were there when Mr Hall went down into the cave?

A--Yes, the bunch; it was last summer; there were parties living in McCabe's shack that I was not acquainted with; I thought Hall was in some way connected with Grierson and McCabe, but I did not not know how.

Mr Keefe asks why Mr. Grierson is not here.

Q--Do you know why Grierson's name and Hall's name was put on by McCabe?

A--No.

Q--You know he stood them out and put their names on the stakes?
A--No I did not know that.

To Mr Sebring:---

At the time I visited the upper hot spring in March or April 1885 Mr Sebring told me that he had not been there; we went the following day after Mr Keefe and Mr. Shields, and Sebring went the day after us.



J O H N--------T A L B O T ------S W O R N;------

To Mr. Commissioner;---

I am 51 years of age; I first came up to this neighborhood in 1887; I followed the construction of the road up; I was with the contractors, and I quit work when the work xxxxxx shut down, about the 1st. of December 1883, or a little before--November; In the winter if 1883-4 I lived in Silver City and I left it in the month of June following and came to Banff and worked on the section and I was stopping at Banff until Mr Keefe came, and then I worked on the surfacing with him until the fall and then I stopped all that winter in Banff, and last summer I stayed here; I have been here since April 84 continuously, with the exception of a couple of months that I lived in Silver Mountain.

Mr Keefe;-----Do you remember the time I put a raft across the river?
A--Yes.
Q--How many people would it carry?
A--About 16; it was built of good timber.
Q--Did you know me to cut a road to the springs?
A--Yes.
Q--Did you help cut it?
A--Yes.
Q--Did I build another raft?
A--Yes.
Q--Did you know where the hot springs were before I told you?
A--No.
Q--Did you know where they were?

1195

1196

To the Commissioner:—

I am 47 years of age and was born in the State of Ohio; I am not a British subject; I am keeping a boarding house; I first came to this vicinity in 1883; it was in the month, I think, of July, or August, about the 1st of August I commenced to live at Silver City; I was working on the Grade there till the work was finished, and then I built a house; I kept boarders right along in a tent; I remained there keeping boarders till 1885, in Silver City. In May, 1885, I went to Donald till last December, and I now live at Farwell, and have lived there since last December.

Since the fall, or winter, of 1883 up to the present time have you done anything else besides keeping a boarding house? I worked this spring for the C. P. R. Company running a grade at Farwell.

When did you first hear of these hot springs, and from whom? It was in the winter of 1884-5 when I was at Silver City, the same winter.

Do you remember what month? I don't exactly; I think it was some time in November, or December 1884.

Who told you? Deane first told me of the very hot one; I had previously heard of the cave and Basin.

When did you first see any of the hot springs? It was in 1885 in the month of February when I first visited the basin and cave; I was there and at the other one about five weeks I guess; I was at the basin and cave three to two weeks, at the other one about a week; I was building a shack at the upper one; I was building the shack about two days; I at the other one; [illegible] was a good man with the axe, but I don't claim to be a good one; this was in February, time Mr Hewett speaks of being there, but he is mistaken as to the month; his statement that I did not go up until after he had been there is correct; there is a difference in memory; I never claimed to be the discoverer of the upper very hot spring; on the 27th day of [illegible] I staked out a claim and I made an application the same day or the next day; I addressed my application to the Minister of the Interior; I wrote from Silver City; as soon as I staked it out I went back to Silver City and made my application. I think, if I am not mistaken that it was the day or so afterwards that I made the application.

Why did you state you were the discoverer? What was my discovery; a man has to discover a thing to see it; I never claimed that I saw it first, and I told the Magistrate when he was filling out the claim that I did not claim to discover it. One [illegible] took down to the spring was Joseph

1196

[illegible] and he was there here then? I could not say that he was there at [illegible] and say: A trail or office in there at the [illegible] I know I was there on the 27th of February; I did not keep a diary, but I [illegible] and because it is [illegible] 27th or February I know it must have been the 27th or February, and I know that I did not make a mistake in the month.

Q--State what time you have ever seen any other improvements on it?

A---No.

---And never lived on it?

A---No.

By Mr Keefe:---

Q---Regarding this Freeman, did you [illegible] to the springs?

A---No I did not bring him ; he came on the hand car to your place and you brought him over; he could go with crutches when he got to your house, and that is the only way he could go. I know he came on the hand car, but I could not say who brought him. I know you got a horse and brought him over to the hot springs. You were the first one who mentioned the hot springs to me; I saw your name and Mr Shipley's and Alexander Stuart's and one of two others. Then I went there Mr Keefe and the others told me how they went up the Spray River and I went that way and [illegible] how they went in, and I followed up and I found it was impossible to get up that way, there being so much fallen timber. I started another trail and I then knew there had been other men in there to make the trail, and I placed it, and on the [illegible] I found the Shack that Young, I think his name is, now living in. I found that trail looked as if it had been used for years. I never followed it any further than the springs; there was no sign of any marks around there of axes or anything, and there had not been a stake put in by McCabe.

The Commission now adjourned for lunch it being One o'Clock.

The Investigation was resumed at Two, p. m.

The Commissioner:—

Do you intend to file any evidence, Mr. Wentworth?

Mr Wentworth:—

I have no witnesses to call.

The Commissioner:—I don't know whether you wish to make any statement, but I desire to explain to you with regard to the inquiry.

Mr Wentworth:—I have nothing more to say about it, I did not think it necessary to call any witnesses and if there is anything further required you will have to explain it. I object to the whole proceedings. I know nothing about them personally, except that some of the allegations are incorrect, and I believe them to be.

The Commissioner:—

You seem to be under the impression that the investigation has not been conducted fairly, that I have been prejudiced against you in the matter.

Mr Wentworth:—

Yes I feel very much hurt at the remarks which were allowed to be given by Mr. Hill which were calculated, only to hurt me as a public man, and which were grossly false.

The Commissioner:—

If the mistake was made in the advertisement it was an error of judgment on my part. My intention was to publish a notice in the paper and also otherwise notify claimants to come forward and give their evidence as I was afraid with you before you left Ottawa you were to be allowed three weeks after Parliament prorogued to enable you to return here. Parliament prorogued on the 3rd. of June and I gave you notice, which was sent to you, that the investigation would take place on the 8th. of June, and the Minister afterwards telegraphed me to adjourn it till the 8th. of July. I had no instructions as to what evidence I was to accept and what I was to reject. I was to use my own judgment and give everybody an opportunity of telling their story as they wished to tell it, and I have endeavored to the best of my ability to do it, and you will now have a chance to go into the box yourself, and with your witnesses to disprove anything that has been said.

Mr Wentworth replied that he would not put himself on a par with such cattle, a man cannot be put without being called.

Having made these statements to the Commissioner and the latter having spoken for some time, Mr Wentworth

1197

tangible to set upon, and there could be nothing fraudulent in so
using the title.

3. What the court is this: As a case said before on the
very point that [illegible] cannot come with
in either the one hand or the third condition, and that
consideration issuing from the Government to the discoverers being a
gratuitous act from the Government, there could be no legal as-
signment of such rights, or assignment with legal effect, and a
court of equity could not decree specific performance in such a
case as that as against the assignor in this case.

4. The fourth ground is that the contract, or the as-
signment being a contract is an entire contract [illegible]
from a severable contract; that it being an entire contract, the
fulfillment of a promise by one party is a condition precedent to
the fulfillment of the promise to convey by the other party there-
to. That payment by Woodworth of the $7500 mentioned in the as-
signment is a condition precedent to the said assignment to
[illegible] the plaintiff to recover that there ought not be
[illegible] of the assignment until [illegible]
[illegible].

5. The fifth ground is, the essence of the ground be-
ing mutuality between the parties thereto, that [illegible]
not being a [illegible] contract is contrary to the spirit of the [illegible]
[illegible] from the time the board his name had been signed there-
to repudiated the contract in question and did not ratify it in
any manner.

6. The sixth ground is, that Woodworth could not ask
a court of equity to decree specific performance of this contract
because, the [illegible] only that he has not [illegible]

1197

of his own from the obtaining of a contract and the contract is his obtaining it on the grounds set forth in the evidence of McCabe and McArdell, and he must necessarily go equity before he seeks equity : that in this case he is seeking to have the contract enforced without having paid the , or any consideration represented to have been paid in the contract, but which, on the evidence of the parties in this enquiry shows that no consideration issued from Woodworth, whatever.

7. In-so-much-as the Registration Hands Ordinance of the North-West Territories would not apply in this case that Woodworth had not duly made a registered notice of the said interest in the property in question having been conveyed to Grierson and Hall some weeks previous to the assignment which he claims to have received from McCabe and having had express notice of such assignment of such half interest to Hall and Grierson he therefore, under any circumstances, could not obtain from McCabe a greater interest than he, McCabe, had in the property in question at the time the assignment was made to Woodworth.

These are the grounds upon which I rely in the matter. The evidence I would state in regard to Fitch's evidence that owing to the facts brought out in the examination of McCabe and Hall regarding Fitch for the purpose of impeaching his credibility, that his evidence should not in any way be relied upon. That no opportunity was given to the Claimants to cross-examine Fitch at the time his examination-in-chief was taken, and the said Fitch is now here under an assumed name, for the purpose of avoiding process and service of the Canadian Pacific Railway. A record of the said writ may be had, which was issued to another party. That he is to be a man unworthy of belief, and his declaration put in by him to which is annexed a schedule of expenditure in connection with the hot springs is so recklessly made, and is contradicted in such a manner as to leave no doubt of its incorrectness. That those and other facts show him to be a man utterly unworthy of belief.

1198 G e o r g e ---- I t i s a---Sworn in his own Behalf---

---

---the Commissioner---My claim is not as a discoverer, but to be declared on account of having made some improvements in the Springs prior to the reservation of the

1197

1198

1198

Order in Council I don't know how much money I spent up there; I spent about $400 in building, not furnishing the hotel, but in the buildings---a stopping place and bath house. I have had receipts from the Bath house; I have had certain receipts from my hotel, but they have not been very much yet.

Q--Have you any idea what you have been reimbursed your actual expenditure by such receipts?

A--I have not been reimbursed anything yet by the receipts from the guests at the hotel; my receipts have not any more than paid for the expenditure on those guests. I came here on the 26th. of October and I first saw about the reservation in the Free Press on the 27th. or 28th. of November; that is the time I saw it, immediately after the paper came up from Winnipeg, within three or four days of that date.

Q--At that time what other improvements were there at the upper or hot springs, other than yours?

A--A couple of shacks; a few logs put up; I don't know who were the owners of them; they have not since been completed by the owners; I took one down and used it for the bath house. McMillan's shack was next, about 26th. or 27th. of November. It cost me thirty dollars; it is worth that now, or more.

Q--Have you resided since last October there continuously?

A--Yes, except once when I was down at Calgary; I opened out my place as a stopping place the 1st. of November and kept it open all winter; I built one bath house last fall and the other one last winter, the beginning of March.

Q--How many stopping places are there now?

A--Two, one besides mine, Lamonte and Smith's; I think they began to build about the last of March; there are no other houses that I know of there; there are some tents there.

Q--You claim that you are entitled to favourable consideration from the Government on the ground that you were there before the reservation and continued there?

A--Yes.

By Mr Lougheed:--

Q--Have you ever had any conversation with Mr Keefe in relation to his claim to the upper spring?

A--I have had different times, but not very much.

Q--Have you any recollection of Mr. Keefe making the statement of his being able to see the vapour rising from that spring from the Spray?

A--I have; he did make some such statement to me when he first came up here. At any rate you can see the vapour from the Railway track and down here in different places in the winter time; I cannot say if he said to me it was in consequence of seeing that vapour that he found the spring. I got here the 26th. of October in 1883.

By---Mr. Keefe:---

Q--Where did you stop when you first came up here?

A--I stopped at the Station House, which you were using, I suppose.

1198

1199

Allard Young having been born
States.

Am 35 years of age single, born
in the State of Ohio.
at Mad Lynne in July 1875. at least with
the north alley
Lewellens Office at that point. at which date
I first came to Manitoba. Remained until
about the 10th of Oct. 1876. I commenced
work on Dec 31 - 25 - 12 W 1st about the
3rd of Dec. 1885. remained there till the 28th
of July following. my occupation while there
was farming & threshing, have been
with the name Benjamin & Peace, I
came in Portage la Prairie left the Country
in 78 and was not seen back since, had a
letter from him in 1878 stating that he
was in Seattle W T.
him since. In July 76 left the railroad
to Hartley when I remained about one month
went from there to Hamilton, then returned
to Brandon about the last of Sept remained there
until Dec. came back to the city stopped
at the Queens Hotel then went to Portage.
about 8 weeks, hunting & prospecting.
Then returned to Brandon & March 1877.
Have remained here ever since living in my
old shack. the shack might be worth
about $1 two days & not about. have worked
off & on for Mr Bradley boarded Mr Bradley
to return to Winnipeg about 8 years
ago and Mr Young not related to Charles
Young have no brothers. Sister had children

1195

2

1199

1199

3

seen [illegible] the name of McCabe mentioned in connection therewith [illegible] it then till I was working with. Worked in Calgary from Spring 1883 to May or June of that year. I never heard anything definite about these Springs from Seymour Bros. caught 7 mink on the Hot Springs creek. had 12 traps with me. got from 70 to 80 of them, was trapping chiefly along Bow River & tributaries, about 4 miles below about 10 miles above. I also made deadfalls for marten & there was one fur wolverine built by [illegible] [illegible] City who had a trade camp & lived [illegible] the same winter I did. Shark Pease [illegible] some deadfalls around Banff Ave. did not go [illegible] Hunt's lake, nor did I know there was a shanty at that lake. there were lots of trapping [illegible] the [illegible] trails through the [illegible], was told of the basin by Indians before we [illegible] we trapped for it. Pease could speak Stony [illegible] could speak to the Stonys, [illegible] [illegible] considered 30 miles or thereabouts it is [illegible] 17 miles by Ry. they [illegible] came [illegible] same time we did. We had two pack horses borrowed [illegible] a half breed named Donald Todd.

W.Y.

Banff 7th July 1886.

Willard [illegible] Young

Stated in handwriting [illegible]

1199

1200

I hereby certify that I have measured the road said to have been constructed by Douglas B. Woodruff Jr. N. Co. leading from the Boar River to the "Cave" Hot Spring. And find the same to be 2.68 feet in length and an average width of 12 feet.

Geo A Stuart
Lieut.

Hot Springs Reservation.
August 16th 1886.

1200

1201. Province of Alberta
North West Territories
To Wit

I Allen Sproule of the Province of Alberta. Dominion of Canada. Yeoman make oath and say.

That I have carefully examined the road said to have been made and Constructed by Douglass S. Wentworth Esquire on the Hot Springs Reservation in the said Province of Alberta.

That the said road extends from the Bow River to the Hot Springs known as the "Cave" a distance of a little over half a mile.

That I estimate the value of the time done in the construction of said road at Fifty dollars.

That I have had large experience in the construction of such roads not only for the purposes of locomotion of cattle but also for some months past have been engaged in the construction of roads on the said Hot Springs reservation and can therefore consequently say that the above estimate and valuation is correct to the best of my judgement

Allen Sproule

Sworn before me this seventh day of

441

1202

Will in the exercise of your judgment give me the place that belongs to me — I know I have influential parties against me but I have rights which should not & I trust will not be overlooked — I am relying on your report for my rights in this matter

Yours respectfully
A. R. Flack

1203

Box 371 Winnipeg Man
July 2nd 1886

A. Pearce Esq
Calgary N.W.T.

Dear Sir,

I am just in receipt of your telegram dated 30th June — It was delayed thro. error — I will not be able to go or even have any further evidences at present to go another direction myself and the parties who know the Circumstances are not here now — I trust you know that I have a claim

1503

1503

445

1202

Box 371

at Banff – I have since thought I was
discovered myself and [illegible] little attention
the Claims of [illegible] others, I ex-
pected [illegible] to Federal [illegible]
[illegible] afterwards decided [illegible]
on my return and there prosecute in person
my claims before the Minister of Interior, but
on hearing of your being at Banff in connec-
tion with the matter on the 21st. Inst – I write
[illegible] it will be impossible for me to be per-
[illegible] of your investigation but do
[illegible] an extract of my evidence and a specimen
of the evidence which I can produce I send
[illegible] for perusal One of the Stat-
utory declarations which I have in my
possession

1202

1202

444

1202

Yours truly
U. S. Grant

Confidential

1172

Calgary Aug 16. 1886

1203

Sir,

In accordance with verbal instructions received from you in April last requesting that I should hold an investigation into the contentions of all parties who preferred claims to the Banff Springs by reason of discovery or developement or both, I have the honor to report.

One of the claimants being W. B. Woodworth Esq. M.P. at his request it was agreed before I left Ottawa on the 4th May last that the investigation should not be held till three weeks after the prorogation of parliament whenever that might be, he stating he would require to return to his home in Nova Scotia before he comes go West to Banff. On the 1st June last I addressed the following letter to Mr. Woodworth :—

1st June 1886

Sir,

According to agreement with you, three weeks from date Parliament prorogued I will hold investigation into Banff Springs question. Should Parliament however prorogue on a Friday or Saturday the investigation will be held three weeks from following Monday. I am writing you this notice in advance so that you will have ample time to reach Banff. I leave to morrow for the South out of probable reach of telegraph communication, but will be back in time for said investigation

I have the honor to be
Sir
Your obedient Servant
Wm Pearce. Supt

The Hon Thos. White - Minister of Interior

W B Woodworth Esq M.P. House of Commons Ottawa - Ont

445

11 7021

1203

Bielefeld den 16. 1886

Lieber

Lieber

Bielefeld den 16. Juni 1886.

Lieber

Lieber

1203

Monsieur le Ministre

J'ai l'honneur de vous informer que le Gouvernement Impérial a décidé que les Consuls de France en Chine seront autorisés à délivrer des passeports aux Chinois qui désireront se rendre en France.

Cette décision entrera en vigueur à partir du 1er Janvier 1894.

Veuillez agréer, Monsieur le Ministre, les assurances de ma haute considération.

Le Ministre des Affaires Etrangères
Ch. Dupuy

Paris le 31 Décembre 1893

M. le Ministre,

J'ai l'honneur de vous informer que le Gouvernement Impérial a décidé que les Consuls de France en Chine seront autorisés à délivrer des passeports aux Chinois qui désireront se rendre en France.

Cette décision entrera en vigueur à partir du 1er Janvier 1894.

Veuillez agréer, Monsieur le Ministre, les assurances de ma haute considération.

Le Ministre des Affaires Etrangères
Ch. Dupuy

In accordance with that agreement the following notice was inserted in the Calgary Herald on the 7th June

Notice

Banff Hot Springs

The undersigned under instructions from the Hon the Minister of the Interior will be at Banff Springs on Thursday the 24th June inst. at 10. O Clock A. M. and receive any evidence that parties may wish to offer in support of their claims as discoverers of said Springs, or improvements made by them at said Springs.

All parties interested will please take notice and govern themselves accordingly

Calgary 7th June 1886 Wm Pearce

Supt of Mines.

On the 8th June a copy of the foregoing notice was sent to the P.O. address of each claimant and also to his Agent where such has at any time been acting for him. I then sent a number of notices to be posted in the vicinity of the said Springs.

On the 21st June I was notified by you to postpone the said investigation till July 8th & on same date I telegraphed to have the foregoing notices amended and notified by mail also all parties of said postponement.

On the 22 June I received a telegram from one J. R. Grant stating he could not reach Banff in time but had mailed to me at Banff certain affidavits. These however I did not receive till June 27th and on the following day telegraphed him Winnipeg that the investigation was postponed till the

8th

1203

8th July.

On July 2nd he wrote me from Winnipeg stating he had just received the foregoing telegram it having been detained through error but that he was unable to be present at the investigation.

On June 23rd one Theodore Seibring telegraphed me from Donald B.C. asking when investigation would be held. On the following day he was told on the 8th July.

On the 8th July the investigation was commenced and all parties were present except Mr. Grant.

The following are all the claimants:.

Frank McCabe & Hon. McCardell represented also by Jas. Ingles & A.B. Wordsworth Esq. M. P. claimant as assignee of McCabe & McCardell.

David Keefe,
Theodore Seibring,
Willard Young,
& Joseph Healy.

The only one absent being Mr. Grant. Mr. Healy did not prefer any claim, but being present at the investigation felt constrained to state what he knew about them, having been among the earliest explorers in this vicinity and need not be considered as a claimant.

The services of Mr. Wm Perdens who is the official Reporter in the Court of Q.B. for Manitoba were obtained. He was recommended to me by His Honor Mr. Justice Taylor and was with the latter at Calgary as official stenographer in what is known as the Frank investigation.

The affidavit administered to him

and

1203

447

1203

and also to the various witnesses as shown in evidence enclosed herewith. (page 2)

To save time I read to all present a very full synopsis of all letters and affidavits on file in the Department of the Interior up to February last. (This is the letter press copy of the synopsis I prepared for your information and which I presume is on file in Ottawa). I also read over all affidavits and letters which had been filed since date of said synopsis was prepared. This mode was adopted to save time. The claimants were told to make notes of any point they might wish to verify or contradict and if the full text was desired they could be furnished therewith, as I had copies in full of everything on file in the Department. The originals were asked for in a few instances by Mr. Woodworth and others.

At this stage Mr. Woodworth objected, stating that said synopsis was not evidence, that he wished only such portions as were evidence read. Mr. Longheed also objected to evidence of R. R. Fitch being accepted as he should have been present and subjected to cross-examination. Their objections and my reply will be found in extenso at pages of 2 & 3 of evidence enclosed herewith. I further explained to Mr. Longheed, in the presence of Mr. Woodworth, that I took said Fitch's evidence at the request of Mr. Woodworth and on the distinct understanding that it should be submitted to McCabe and McCardell's counsel in ample time to enable him to procure witnesses to rebut anything therein

1203

therein and that such had been done.

I have been thus explicit in this report, detailing every step, because at opening and several times during its progress W. Woodworth objected to many things on the ground - it was not evidence. That may be true according to Court rulings; but my experience has convinced me that to obtain all the details bearing on any case, such was best obtained with many people by permitting the witness to tell his story in his own way, by questions obtaining further information on points not clearly brought out when culling from the evidence thus obtained those parts relevant to the matter at issue.

Joseph Healys claim having been disposed of, the next that may be considered is that of Willard Young. Is a native of the State of Ohio came to Manitoba in 1875 and went up the Saw River in Nov. of that year for sake of trapping & prospecting, the former evidently was his chief occupation. The latter cannot be prosecuted to advantage during the winter season. He remained till following July. His shack which took him 2 days to build and from estimate of time and board would be worth $8.00 is on the S.E. 1/4 35-25-12 W 5th. When he left here he went to Edmonton & in Sept. following returned to take his traps; came back in '78 to see if his traps were all right and again returned on 3rd March last. States he started to come back about 3 years ago but had the misfortune to have his shoulder dislocated. Had a partner the time he wintered here, which partner however has abandoned all claim to this. States they

discovered

1908

discovered all the Springs, basin, cave, supper or hottest springs. Surveyed a line around the cave and basin which included within it about 300 ac.. Coates he kept this discovery dark waiting to interest some one with capital to develop it. He did not however keep them very dark as early in July 1884 I was informed by Mr David McDougall of Morley of the existence of these Springs & Mr. McDougall stated his informant was Mr. Young.

Our regulations rightly enough provide no rights to Mineral Springs by reason of discovery. In Mineral discovery the right awarded is not so much for discovery as development. In discovery of mineral Springs nothing is produced, the discoverer merely sees by accident what nature has produced. The utility of such Springs is dependent wholly on their position, quality and development, their position regarding accessibility, which with quality the discoverer in no way contributes to. As to development in Mr. Youngs case, he contributed not in the slightest, therefore I can see no alternative but to reject his claim disallowed in toto.

Just here it might be well to comment at some length on any development or publicity given to these Springs by any of the claimants. A liberal allowance given to the various parties for the time actually spent or required to be spent in such development and improvements will not amount to any considerable sum. They would not have ever been brought into notice or had any value but for the construction of the C. P. Ry.

McCabe, McCardell, Scobie and Keefe were employees

1203

employees of that Corporation, and this
discovery is wrongly attributed to the employees, and they have been kept out of notice rather through the action of leading officials of the Corporation, by whom, to some extent that of officials of the
Therefore under the circumstances if these claimants are paid liberally for their time and any encouragement made outside of such time, as allowed, will by not be treated as encouragement given outside of those mentioned such treatment will I think be considered to.

J. R. Grants claim.

It appears that on Sept 1883 J. R. Grant who has in Nanaimo, Vancouver Island, some of them, he took a notion of some time to leave the same and go to Victoria and his business became known to the Victoria Corporation that he was going to leave, he was further asked to this Victoria Office. It is very unfortunate that such misadventure occurred to him, as it is probable that the arrangements been obtained this Spring would have been brought into motion at once and this claim they have been duly forwarded however offered the claimant Dr Selby, and Grant the Chief M. C. Grant Creditor and prompted him to the elected by the Board and Secretary accordingly.

Thurber, Lidgey's claim.

This claim amounts of Claim is wrongly stated

February

1203

1803

or March 1885 heard from Keefe of the existence of the very hot Springs, went out and with aid of another manufactured a sheek, they were hot days. dong jo. He also staked out a claim of 160 ac. and applied for it as a mining claim. His application is dated 24th March, but he asserts it was written out on 24th February, as that was date he put on his stake. From collateral evidence I think there can be no doubt that it should be March. It is however not at all material to the case. By his own admission he is not a discoverer, and as to improvements, the sheek erected by him could not be considered as an improvement and recommend this claim to be disallowed.

Wm. Keefe.

This person came to the vicinity of the Springs in the month of July 1884 and has been in that neighbourhood (excepting a short time during the Winter 85-6) continuously since. His occupation from date of his arrival up to date of investigation was that of fireman, and he appears to have done more to bring the Springs into notice and render them accessible than any other individual. Assuming that McCabe or McCardell are the discoverers of the copper or Hottest Spring which however Keefe disputes, they did nothing to render these Springs accessible and so far as the public are concerned might as well have never discovered them. No considerable time or trouble is required to make such discovery. There are many points in their vicinity where on

1203

on a cold frosty morning the vapour could plainly be seen rising from it and having seen said vapour the Springs could easily be located. Any person at all accustomed to such exploration could with the aid of a pocket Compass locate it from several different points in the neighborhood in half a day when on a frosty morning the vapour could be perfectly seen.

Keefe seems to have to some considerable extent employed his Sundays exploring around these Springs. the remainder of the time working for the C. P. Ry. Certain planks, railway ties, wire and rope seem also to have been used in construction of rafts; also the use of hand cars, but these appear to have been furnished by the C. P. Ry. and in estimating the compensation to be paid Keefe these items may be ignored. Keefe's assertions in bringing these Springs into public notice were not wholly disinterested. Nearly every visitor to the locality contributes to some extent to Keefe, as he kept a boarding house in the C. P. Ry. Section House which was until lately the only place in the vicinity of these Springs at which lodgings and meals could be procured.

Why he did not put in a claim earlier is not at all clear. In his evidence on the 9th July last he states he did prepare a claim before Mr. D. L. Agent Gordon on 1st June 1885. There is nothing to show he did; but on the contrary, Mr. Gordon states he did not. And when I first saw him he states the reason he did not apply was because he was told only British subjects could make such applications,

and

1203

458

1203

he did not then wish to become such. On another time he states the reason he did not put in a claim was because he expected if McCabe's claim was recognized, he - McCabe - would liberally compensate him (see letter - McCabe to Keefe on page 24, the original being also on file).

Before closing this case it might be well to state that I furnished Mr. Keefe with all the subpenas he wished to compel the appearance of any witnesses he desired to substantiate his claim.

A month would probably be an extremely liberal allowance for time consumed in making improvements or taking people to visit the Springs, and would recommend he be paid $100

Messrs McCabe McCardell

These parties prefer a claim to 3 Springs viz the upper or hottest Spring, the cave spring, and basin Spring adjacent to the latter. For reasons already stated any claim to the upper or hottest Spring cannot be recognized in the remotest degree.

McCabe is a native of Nova Scotia and states he came to Manitoba in Dec. 1880; he as he states he went to work shortly afterwards track laying on the Man. S.W. Ry, it must have been Dec. 1881. After working at various points & going to British Columbia he became section foreman on the C. P. Ry. with head quarters at Kamanaskis, in Oct. 1882 where he met William John McCardell with whom he had worked on the C. P. Ry. and also in the woods the previous year. Wm John McCardell came to Manitoba in March 1882 from Ontario. The latter prefers no claim

1203

claim, states he is a silent partner and whatever McCabe & his brother William obtain on account of these Springs he will be given by them his share, which he states is one third of the whole.

William & Tom McCardell worked on the Railway under McCabe in the Autumn of 1884 till the road shut down in Dec. of that year. They then remained at Kananaskis during the winter - hunting and prospecting. Hunting must have been the chief inducement as winter is not the time to prospect in that locality. Both who make a livelihood at prospecting lie up during the winter season.

In November 1884 they claim to have discovered the cave and pool. They returned that night to Kananaskis & McCardell returned shortly and put up a shack which he states took 2 or 3 days. In Dec. or Jan.y following he - McCardell - claims to have discovered the upper or hot one Spring. After this until Sept.r 1885 Wm McCardell does not appear to have done anything at the Springs except to stop overnight on one or two occasions in June 1884.

McCabe appears to have been at the Springs as follows: 1 day in March 1884; 2 days in June 1884; after July 1884, during the Summer & Autumn visited the Cave frequently & took a bath came from Pretty & returned to Canmore the same day. It would appear that prior to the application of McCabe, McCardell, McNeill & Sanson on the 2nd March 1885, McCabe & McCardell had spent in all not more than 14 days including the time spent in building the shack. This is the first stage at which the Dept has any record of claim progressed by these parties. As will appear from the

evidence

1203

1203

Dear

evidence McCardell asked A.W. McVittie D.L.S. in the Winter 83-84 to make inquiries at Ottawa about what steps it would be necessary to take to secure these Springs and his reply was that it would be necessary to have them surveyed: and the expense was more than they could meet. I have seen Mr. McVittie, and he states that on their behalf he asked Mr. McTavish of the C.P. Ry. what he would do if these Springs should prove to be on an odd Section; and his reply was that before he could entertain any application he would require a survey to be made. He also spoke to the Deputy Minister of the Interior on this point; and his reply was he thought they could be taken up as Mining Claims and he wrote to McCabe and McCardell telling them to stake it out and apply as a mining claim; and they offered him a half interest if he would secure them on their behalf. This is mentioned for two purposes.

First to show that McCabe & McCardell knew, or had opportunities of knowing that, if they could be secured as Mining claims, they might have made application a year earlier than was done, and before any one else tried to obtain them, or others had tested their properties and discovered their value: And the second place to show that up to March 1885, these parties placed little or no value on them.

McCardell's plea that they were waiting until he could earn means to develop their discovery is not one that seems probable. No shrewd man would take that risk. It would be impossible for the Springs, from their position, to be

Kept

457
12.

1203

evidence [illegible] to W. McVittie D.L.S. in
the [illegible] mines at Ottawa about
[illegible] to take to
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
buying as a mining claim; and they offered him
a half interest if he would secure them on their
behalf. This is mentioned for two purposes -
First to show that McCabe & McCardell knew,
or had opportunities of knowing that, if they
could be secured as Mining claims they might
have made application a year earlier than was
done, and before any one else tried to obtain
them or others had tested their properties and
discovered their value. In the second place
to show that up to March 1885, these parties
placed little or no value on them.
McCardell's plea that they were waiting until
[illegible] some [illegible] means to develop their discovery
is not one that seems probable. No shrewd
man would take that risk. It would be impos-
-sible for the Springs, from their position, to be
kept

kept in the dark.

In the agreement entered into between McCabe, McCardell, Hall & Grierson on 29th June 1885 (and it might be observed in passing that McCardell's name is signed to same per power of Attorney. It does not state who signed as Attorney, nor is such power of attorney attached - and further it would appear, from the evidence of both McCabe and McCardell, that the latter did not sign his name, nor had any one authority so to do.) the latter two were to pay the former $ for the expenses already incurred, expended, and laid out in opening up the said Springs, a sum of money not to exceed $130 :. In addition Messrs Hall & Grierson were to secure the land for them from Govt. assuming they considered it a mining claim, which is no doubt what they must have considered it. To secure said 40 ac. the maximum limit, $5 :. per acre would have to be paid + $500 :. worth of improvements + $50 :. for surveying, a total, to be contributed by Hall & Grierson of $830 :. Of this however $500 :. would be expended in develop-ment, which it is to be presumed would be worth to the property the cost, and of the $250 :. paid for land & surveys Hall & Grierson obtained title to 1/2 - that is a 1/2 interest. So that what McCabe & McCardell obtained on 29th June 1885 was $130 :. + $125 :. (half cost of land & surveying) + $250 :. (half cost of improvements) = $505 :. which was what they at that date considered their claim to be worth. Since then & prior to "O.K. on 8" reserving the land McCabe has put in probably 3 weeks work on the place and McCardell about 2

months

Kept in the hand.

In the agreement entered into between McCabe, McCandell, Hall & Greirson on 29th June 1885 (and it might be observed in passing that McCandell's name is signed to same per power of Attorney. It does not state who signed as Attorney, nor is such power of attorney attached and further it would appear from the evidence of both McCabe and McCandell that the latter did not sign his name, nor had any one authority so to do.) the latter two were to pay the former for the expenses already incurred, expended, and laid out in opening up the said property a sum of money not to exceed $130.00. In addition Messrs Hall & Greirson were to secure the land for them from Govt. assuming they considered it a mining claim which is no doubt what they must have considered it to secure, that 40 as. the maximum limit, $5.00 per acre would have to be paid & $500.00 worth of improvements & $50.00 for surveying, a total to be contributed by Hall & Greirson of $830.00. Of that however $500.00 would be expended in development, which it is to be presumed would be worth to the property the cost, and of the $250.00 paid for land & surveys Hall & Greirson obtained title to 1/2 - that is a 1/2 interest. So that what McCabe & McCandell obtained on 29th June 1885 was $130.00 + $125.00 (half cost of land & surveying) + $250.00 (half cost of improvements) = $505.00 which was what they at that date considered their claim to be worth. Since then up to 1st Dec. according to him McCabe has put in probably 1 week on the place and McCandell about 2

weeks

1203

[illegible]

months, about $45.00 per month = $140.00 which added to $505.00 = $645.00. That is taking the Springs at their own valuation on 29th June 1885. It will be observed that although there is nothing to bind McCardell to the agreement entered into with Hall & Grierson, he does not repudiate but endorses it. The expenses of living at and holding the Springs since Sept. last by McCardell is the outcome of bad faith, or ignorance on the part of his partner McCabe - a matter in which the Govt is in no way responsible, therefore any expense incurred cannot be recognized.

Further the Govt cannot be held liable for any expenses incurred by Hall or Grierson by reason of said agreement. Until these people had a title of some sort from the Govt they should have abstained from making any improvements or incurring any outlay.

Mr. Hall in his evidence states that he had received certain assurances from the Deputy Minister of the Interior; but whatever may have been said was wholly on the ex parte statements of Hall himself and all the evidence on the parties files goes to show that the Deputy Minister was at the date of Hall's visit to Ottawa - June 1885 - making inquiries and obtaining all the information possible to enable a feasible scheme to be suggested to the Govt. Therefore there is no doubt but that Mr. Hall must have misunderstood him. McCabe & McCardell had no title, therefore nothing to assign; consequently for any redress Messrs Hall & Grierson may claim there is no alternative but for the Department to leave them to the Courts for the same

1203

same. Assuming McCabe put in since 29th June one weeks work, making improvements, at $2 50/100 per day = $15.00 + 505 = $520.00 which is I think a very liberal allowance to make them. If however that allowance is to be based on value of improvements made prior to 29th June, and for reasons already stated any expenses incurred since cannot be entertained, their own valuation as denied in such agreement viz. $130.00 + $15.00 for improvements since = $145.00 would be a liberal allowance.

Mr. D. B. Woodworth's claim.

As will be noticed from the evidence Mr. Wordworth claims to be the assignee of McCabe and McCardell the former repudiates the assignment on the ground that no consideration was paid, the latter on the ground that he never signed the document and further that McCabe had no such authority. This is a point which I do not consider it necessary to discuss. Neither McCabe nor McCardell had any title therefore could not assign.

Mr. Woodworth claims that he was misled by the certificate of assignment given by the Assistant Agent of Dom. Lands at Calgary. The said assignment is authorized to be issued only under authority of the Mining regulations, and if it is issued in contravention of the same it is worthless - in any case, an assignment of anything not owned by assignor is worthless. Further I informed Mr. Woodworth prior to the issue of said certificate that there were no regulations applicable to Hot Springs and that they could only be obtained on the authority of the Minister. Further as soon as my attention

was

460

1203

Abwesenheit. Dasselbe Verfahren wird angewendet, um
einen bestimmten Verband wiederherzustellen, der
durch den Verlust eines Gliedes gestört ist. Es
kommen hierbei alternierend die beiden Grundoperationen
der Addition und Subtraktion zur Anwendung.
Dieses Verfahren ist auch dann anwendbar, wenn
mehrere Glieder gleichzeitig ausgefallen sind.
Es kann hierbei alternierend die eine oder
andere Grundoperation angewendet werden.

### Fall 2. Es ist ein Glied zu ersetzen.

Es wird die Aufgabe gestellt, ein Glied mit
gegebener Eigenschaft in einen bestehenden Verband
einzufügen. Hierbei kann es sich darum handeln,
ein Glied mit bestimmter Ordnungszahl zu ersetzen
oder ein Glied mit bestimmter Eigenschaft.
Auch hier ist es möglich, daß es sich um
mehrere Glieder handelt.
Fall 2a. Es ist ein Glied mit bestimmter
Ordnungszahl zu ersetzen.
Es wird die Aufgabe gestellt, ein Glied mit
gegebener Ordnungszahl durch ein anderes zu
ersetzen. Dieses Verfahren wird angewendet,
wenn ein Glied verloren gegangen ist oder
wenn ein Glied durch ein anderes ersetzt
werden soll, weil es nicht einwandfrei ist.
Auch hier ist es möglich, daß es sich um
mehrere Glieder handelt.
Fall 2b. Es ist ein Glied mit bestimmter
Eigenschaft zu ersetzen.
Es wird die Aufgabe gestellt, ein Glied mit
gegebener Eigenschaft durch ein anderes zu
ersetzen. Dieses Verfahren wird angewendet,
wenn ein Glied verloren gegangen ist oder
wenn ein Glied durch ein anderes ersetzt
werden soll, weil es nicht einwandfrei ist.
Auch hier ist es möglich, daß es sich um
mehrere Glieder handelt.

1203

was directed to this I caused the letter from Agent to Mr. Woodworth of the 10th Sept. 1885 to be sent him - a copy was also sent Mr. Bleeker of Calgary who was acting as his Agent.

Calgary 10 September 1885

Sir,

I have the honor to inform you that I find on looking up the case "Hot Springs" file that there is no application in this office from either McCabe or McCardell or both for a mining location.

Further, in looking over the mining regulations I find no provisions regarding Mineral Springs, they are neither agricultural nor mining properties, therefore the said assignment is worthless, and should not have been executed here —

The receipt in itself is worthless as it describes as area of property known as "Hot Springs" you will therefore please forward it here on receipt of which the $2.00 fee will be returned to you.

I have the honor to be
Sir.
Your obedient Servant
sd E. G. Kirby
for Agent

W. B. Woodworth Esq.
Cornwallis P. O.
Kings County
Nova Scotia

It may therefore best be left to the Courts to grant Mr Woodworth any redress he may be entitled to as against either McCabe or McCardell.

The only point to be considered is the improvements made by Mr. Woodworth in connection with said Springs. I wished Mr Woodworth at the investigation to furnish evidence on this head but this he refused to do: and since then I have taken the best steps attainable

attainable to obtain it.

From evidence of Keefe it would appear that about 2 days work for 2 men was done between the Railway and Bow River at $2.50 per day = $10.00

From evidence of Allen Preston road foreman at Banff Springs under D. H. S. Stewart it would appear the value of road work South of River = $50.00 being according to the measurement of D. H. S. Stewart 2569 feet in length with an average width of 12 feet - and consisted of cutting down the willow brush and culling out some fallen timber. As to services in running lines for road, any road overseer or good bushman would have located it as well without running any. But assuming two lines were run they together would equal one mile and could be done by 2 men in one day - say $5.00 more. total = $65.00.

Mc Cabe in his evidence states he assisted in this work, and values it at $45.00 or $48.00.

In the affidavit of expenses incurred by Mr. D. B. Woodworth, signed by Mr. R. R. Fitch and dated at Ottawa on the 5th Feb. 1886, the following items occur:-

| | | |
|---|---|---|
| 1 | Purchase of property | $1500.00 |
| 2 | Ferry wire cable | 225 |
| 3 | Purchase of building & expenses connected therewith | 1100 |
| 4 | Surveys, Road making & labor | 772 |
| 5 | Travelling | 200 |
| 6 | Personal attendance 30 days @ $20 | 600 |
| | | $4397 |

For convenience I have numbered them.

No 1. For purchase of property - This is not a matter for the Goverment to re-imburse Mr. Woodworth.

&c

1203

462

Mr.

Mr. Mr. Mr.

1203

He will require to settle this matter with Mr. McCabe

No 2. Mr. Woodworth obtained a license from the N. W. Council or the Lieut. Governor, not from the Dominion Government. It is presumed he still has that franchise, this expense was incurred on account of it; and it is a matter for Mr. Woodworth to settle with the parties who granted same.

No 3. Mr. S. J. Hogg of Calgary informed me that there was a Hotel erected at Silver City by Messrs Grue & Patton. He, Hogg, furnished the material and took a Mortgage for $2000.00 and under said Mortgage he had the power to dispose of building at a certain time. And by virtue of said power he sold it to Messrs. Stinson & McDermid for $800 taking a Mortgage for that amount. These parties paid on a/c of said Mortgage nearly $400 and he agreed with Mr. Woodworth to release his claim on payment of $400 cash, and instructed Messrs Stinson & McDermid not to let the building be touched until he notified them it had been paid which has not yet been done.
Understood he was to give Messrs. Stinson and McDermid some $600 or $700 in addition to the $400 to him, Hogg; but that the building was partly torn down by Mr. Woodworth, when he was stopped; and that neither Messrs. Stinson & McDermid nor the men engaged in tearing it down were paid. This is an item which cannot be entertained.

No 4. This item has been allowed to the extent of $65.00, although the work expended by Mr. Woodworth

is

1203

is at present of no practical benefit to the Sprucs

No. 5 & 6. These are matters which cannot be recognized. It was purely a matter of speculation on the part of Mr. Wordsworth. If he was not successful that is his misfortune. The Government cannot attempt to indemnify every such unfortunate speculator.

There was one other claim preferred viz: that of Geo Whitman for a hotel site. I instructed Mr. Stuart to send in a valuation of the buildings when he sent in his report. This is the only case of one there prior to the reservation by "Ord & Co". But I cannot see that by being there he is worthy of special consideration. He is a trespasser on the public domain, & went there as a speculation. If in the public interests he cannot be permitted to remain in his present location, he is unfortunate. In treating of such cases, it must be borne in mind that in the erection of their buildings such squatters have done a great deal of damage to the scenery by destruction of timber required for building &c. They were not urged, or even encouraged, to build where they have; but quite the reverse.

I return with this copies of all documents of which the originals are not in W.O.

Though this marked confidential you may make the whole or any portion official if you see fit.

All of which is respectfully submitted.

I have the honor to be

Sir, Your obedient servant

W. Pearce
Capt

is at present of no practical benefit to the Springs

No. 6 & 16. These are matters which cannot be recognised. It was purely a matter of speculation on the part of Mr. Wordsworth. If he was not successful that is his misfortune. The Government cannot attempt to indemnify every such unfortunate speculator.

There was one other claim preferred only; that of Geo. Whiteman for a hotel site. I instructed Mr. Stewart to send in a valuation of the building when he sent in his report. This is the only case of one there prior to the reservation by "Ord. C". But I cannot see that by being there he is worthy of special consideration. He is a trespasser on the public domain, went there as a speculation. If in the public interest he cannot be permitted to remain in his present location, he is unfortunate. In treating of such cases, it must be borne in mind that in the erection of their buildings such squatters have done a great deal of damage to the scenery by destruction of timber required for building &c. They were not urged, or even encouraged, to build where they have; but quite the reverse.

I return with this copies of all documents of which the originals are not in H.O.

Though this marked confidential you may make the whole or any portion official if you see fit.

All of which is respectfully submitted.

I have the honor to be
Sir,
Your obedient servant
[signature]

1173

1204

165

E711
1204

Personal

Calgary 18th August 1886

Sir

I enclose with this my report and further evidence on the Banff springs file for your perusal and afterward to forward the minister with any comments thereon you may see fit.

Would you kindly let me know (privately if you prefer) whether you consider the conclusions I have come to logical and sufficiently based. I have marked it confidential so that the minister can do as he wishes, if necessary referring it back for any amendments he may desire. I intend leaving for Edmonton tomorrow

Yours very truly.

W. Pearce

H. H. Smith Esq.
Com. of Dom Lands
Winnipeg
Man

1174

1205

Calgary 17th August 1886

Sir

I have the honor to acknowledge the receipt of yours of the 13th B8866 Ref 57762 requesting a report to be done with Mr Stipendiary Inspector Clark's horse.

I have seen neither Mr Clark nor his horse since I returned; but from inquiries made I understand that horse is not doing well. I presume if he were to run the animal just every day he would do well enough under the present regulations; but if he does not do so, and when absent from Calgary it is impossible of course for him to do so, the animal is liable to be put on short rations.

Some uniformity about keeping the Horses of the N.W. Inspectors should be adopted. If Mr Clark be furnished a stable and receives the same allowances others do, they will shortly ask the same treatment, the result stables may be required to be built at each agency. Mr Rowe D.I. Agent has Horses at Livery at cost of $15.00 per month and he is doing well. He accounts for that from the fact of personally seeing that he receives his feed.

From what Mr Inspector Forster stated to me and it is corroborated by Mr Rowe a horse can be well kept here for $8.00 per month when not driven but a few miles each day. When Mr Clark's is out at work I presume he receives a liberal allowance over the 50cts per diem. It might do to enter such a stable as Mr Rowe suggests and allow him $8.00 per month or say 27cts per diem; but the point to be determined in the new arrangement is what is to be done with the horse when Mr Clark is not here. I understand he is going to Ottawa. In discussing this with Mr Rowe he suggested that as one was wanted living in the Office there would be

Lt Col Irvine
Com. Dept Lands
& Works
Ottawa

466

1205

1205

1205

would be necessary to engage a man to keep up fires and that he could also look after the house. As to the question of keeping up fires the same must be done here as is done in other Offices all the Officials here are married men, otherwise I would suggest some one of them should sleep in the Office block up the fires. If it were necessary at any time for him to be absent from this could attend to that in such absence. If Mr Hayes or any other single man were to come up here with a view I presume he could look after the fires. All the ink could be brought in from C.T. Office into Land Office so that only one fire would require to be kept up. I am not aware what is now done on this head in other agencies. There are some Offices where the fires could be attended to very easily & cheap. It would not be asking too much for the Customs Dept to furnish fuel & attendance as I understand is now done at Port Hawkesbury. This is a matter for your decision. If you conclude to put up a Stable for Mr Clark I would suggest a fairly good one be erected such as Mr Rowe points out to me and stated it cost $205.00 — It could be moved elsewhere if required. And that the Homestead Inspector be told he will be allowed $5.00 per month and must furnish all attendance at his own expense

This brings me to another matter. Would it not be well for the Govt next year to put up a good building on Lot 16 suitable for Court House & offices required thereinto. Customs Office Land Office. Crown Timber Office. Inland Revenue & room for myself &c as the business increased the building could be enlarged. There is a number of a block on Lot 16 for such a purpose

All of which is respectfully submitted

I have the honor to be

Sir

your obedient servant

W. Pearce

Supt

1175

1206

Calgary 17th August 188

Sir

I would suggest if you approve of it the D. L. Homestead Inspecting Clerk be appointed to reside in Calgary and I am willing to report himself to me. He can readily ascertain from the Crown Timber Agent when I am here

It will frequently occur that I may require his services and by so reporting I will be aware of what he is at and frequently to advantage may be able to suggest in what order his duties might be done, there may frequently become work more urgent than other business requiring when he is going I may be aware of some matters he could attend to when his duties bring him in the vicinity, It occurs to me that his work is not done as systematically as it might. Would it not be well that he should keep a diary of the work performed from day to day. I can see no possible objection to such being kept and an inspection thereof might in many cases be beneficial in the public interests. As Surveyors we were always required to keep such a diary and having to do so often proved very advantageous.

For reasons of which you are aware if you approve of my suggestions I think the instructions should come direct from you to the Clerk of which please furnish me a copy

I have the honor to be
Sir
Your obedient Servant
Wm Pearce
Supt.

D. A. G. Winnipeg
Com. Dom. Lands
Winnipeg
Man

1206

1176

1207

Calgary 18th Aug 1886

Sir

I have the honor to enclose herewith the oath of allegiance and office taken by me before Stipendiary Magistrate Rouleau this day which are required to be furnished by officials in the Outside service in accordance with the amended Dom Landsact of 1886.

I am not certain the oath of office is in the correct form, if not I will be glad to amend it.

I have the honor to be

Sir

Your obedient servant

J. McLean

Supt.

John R. Hall Esq.
Sec. Dept of Interior
Ottawa
Ont

459

1207

Calgary 18th May 1886

Sir

I have the honor to enclose
herewith the following Petition
of Settlers in the Pincher Creek
District praying that certain
alterations may be made in the
Boundaries of the Electoral
District of Macleod as defined
by the Dominion Act 49 Vict. Cap 1 1886.

I have the honor to be
Sir
Your obedient Servant
[illegible]
[illegible]

Hon. [illegible]
Minister of
Interior

1177
1207

Berlin, den 27. Februar 1891.

Ich bestätige den Empfang Ihres Briefes vom 25. d. M. und bin gern bereit, Ihnen die gewünschte Auskunft über Herrn Dr. Hugo Meyer zu ertheilen.

Ich kenne Herrn Dr. Meyer seit dem Jahre 1880.

Hochachtungsvoll

1207

# Oath of Allegiance

I William Pearce do sincerely promise and swear that I will be faithful and bear true Allegiance to Her Majesty Queen Victoria as lawful Sovereign of the United Kingdom of Great Britain and Ireland and of this Dominion of Canada dependent on and belonging to the said Kingdom, and that I will defend Her to the utmost of my power against all traitorous conspiracies or attempts whatever, which shall be made against her person crown and dignity, and that I will do my utmost endeavours to disclose and make known to Her Majesty, Her Heirs or Successors all treasons or traitorous conspiracies and attempts which I shall know to be against Her or any of them; and all this I do swear without any equivocation, mental evasion or secret reservation — So help me God

Sworn before me at Calgary this 18th day of August 1886

Wm Pearce

Chas. D. Rowan
Dep. Asst.

1178

1207 Oath of Office

I William Pearce solemnly and sincerely swear that I will faithfully and honestly fulfil the duties which devolve upon me as Superintendent of Mines and that I will not ask or receive any sum of money services recompense or matter or thing whatsoever, directly or indirectly, in return for what I have done or may do in the discharge of any of the duties of my said Office except my Salary or what may be allowed me by Law or by an Order of the Governor in Council — So help me God.

Sworn before me at Calgary
this 18th day of August 1886

Wm Pearce

Chas B. Rouleau
Sup. Mag.

174

1207

Head-of Office

I Philemon Pearce solemnly and sincerely
swear that I will faithfully serve Harcourtly Judge
Her Majesty Victoria Empress we so help me
I Philemon Pearce will not take or receive any
sum of money directly or indirectly in return
for what I have done or may do in the discharge
of the duties of my said Office except my said
salary or what may be allowed me by law or
by the Order of Her Governor in Council — So
help me God.

Sworn before me at Calgary
this 18th day of August 1908

1208

1179

Calgary 18 Aug. 1886

Sir,

In reply to your enquiry as to what price should be placed on that portion of Sec 22-24-1 W5th leased to the Bow Claire & Bow River Lumber Co for mill site & piling grounds, assuming that Co desired to purchase the same.

It would appear from letter of P. A. Prince Manager of that Co dated the 3rd inst. that he considers their lease does not give that Co the right to erect boarding houses, stables &c. on the land in question. That is a legal point on which he has probably obtained advice, but from a laymans standpoint, it appears to me their lease would permit that.

However if they choose to buy I see no objections to a sale at a fair value. The cheapest lots on Sec. 16 (not so well situated in some respects as this property, as far as location from present centre of business in Calgary, but not liable to be flooded as a portion of this may be) are $30.00 each 50 x 120 - 43% requires to be added to area to compensate for streets and lanes, which is the percentage devoted to that purpose in the sub-division of that Section. Not 43% of the whole, but to area of Lots 43% thereof will require to be added to make up to the area taken, at least that is what I make - please verify same. Assuming the foregoing data to be correct, the land would bring $140.00 per ac. Under all the circumstances, I think all of 22, South of River with

A. Rowe Esqr.
Agt. Dominion Lands
Calgary

472

1174

1208

Heidelberg 18 Dez. 1888

Lieber,

Ich bedaure es sehr, Dir nicht schon früher
geschrieben zu haben, aber ich habe
wirklich nicht gewußt, wann Du
Deine Adresse in Berlin haben würdest.
Ich nehme an, daß Du jetzt
Deine Wohnung bezogen hast und
Dich in Deinen neuen Verhältnissen
einrichtest. Ich wünsche Dir
dazu alles Gute und hoffe,
daß Du Dich in Berlin
recht wohl fühlen wirst.
Ich habe Dir
Deine Sachen
Dein

Dr. Hans Delb.
Lehr. Kommiss. Hans
Delbrück

1208

Veuillez agréer, Monsieur le Président, l'assurance de
ma haute considération.

Le Président du Conseil
d'Etat,

Le Chancelier d'Etat,

473

1208

with the portion on Island might be sold at $100.00 per ac.; or all South of River at $125 per. ac.

I have the honor to be
Sir,
Your obedient Servant
W. Pearce
Supt.

1180

1209

Calgary 18. August 1886

Sir.

I have the honor to acknowledge the receipt of yours of the 26th ult, which only reached me on the 16th inst. owing to my absence from Calgary.

In reply I may state that as a general rule your interrogatory may be answered in the affirmative. Answers to a general question are frequently misleading, as the claim to which you allude may for reasons satisfactory to the Minister have been protected.

I would suggest that you make your application detailing what particular old claim you wish to take up and develop when you will receive a specific answer.

I have the honor to be
Sir
Your obedient servant

J. Stewart
Insp.

John Lewis Esqr.
Lewis City
Alberta

474

1180

1209

Calgary 18. August 1886

Sir:

I have the honor to acknowledge the receipt of yours of the 26th ult., which only reached me on the 16th inst. owing to my absence from Calgary.

In reply I may state that as a general rule your interrogatory may be answered in the affirmative. Answers to general questions are frequently misleading, as the claims to which you allude may for reasons satisfactory to the Minister have been protected.

I would suggest that you make your application detailing what particular claim you wish to take up and develop when you will receive a specific answer.

I have the honor to be
Sir
Your obedient Servant
[illegible]
Supt.

John Lowe Esqr.
Silver City
Alberta

1181

1210

Calgary 19 August 1886

Sir,

I have the honor to acknowledge the receipt of your letter of the 5th inst. transmitting to me a Commission under the great Seal appointing me to the Office of Superintendent of Mines

I have the honor to be
Sir,
Your obedient Servant
Wm Pearce
Supt of Mines
for N.W.T.

G. Powell Esq.
Under Secretary of State
Ottawa.

1811

1210

Delivered 14 August 1811

Sir,

I have the honor to acknowledge
the receipt of your letter of the 3d inst.
I am &c. Transmitting to me a Commissaire
Warrant for Lieut Augustin Mc Tavish
Officer of Infantry Militia

I have the honor to be
Sir,
Your Obedient Servant
Mc Tavish
Lieut of Militia
M. N.D. L.C.

Lt. Colo. Mc Donell
Militia Regiment Glengarry
Montreal.

475

1187

1211

Calgary 18 Aug. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 3d inst. re permission given by the Minister of the Interior to a party to erect a building alongside of yours at Banff and in reply beg to state that I know of no such privilege having been granted.

As to the further points alluded to in your letter, I have at present nothing to add to what was conveyed to you in mine of the 4th inst.

I have the honor to be
Sir
Your obedient Servant
Wm Pearce
Supt of Mines
D. I. a. & W.

W. R. Roberts Esq.
Banff
Alberta

1211

Walpole 18 Aug. 1881

Dear,

Please see here a testimonial
from the Principal of the School I
was at & hope e Residency examination
will be over before 3rd Sept. Yours affectly
Penelope Hannah Kenyon.

Do let me hear from Ellen all as soon
as convenient & you will receive letter
from me soon after 3rd Sept.

Miss Ellen Hannah
Kenyon
Walpole

Please see here
Mrs
Chas Alexander Kenyon
Mrs Hare
Lake Plains
W. A. C. Co.

1183

1212

Calgary 18. August 1886

Sir,

I have the honor to enclose herewith a copy of a letter received from W. R. Roberts of Banff re his claim to S.W. 1/4 Sec. 1. Tp. 26. R. 12 W 5th and my reply thereto.

I have but to direct your attention to what he says about permission being given by the Minister of the Interior to a party to erect a building alongside of his at Banff. I presume he alludes to Keefe; but I was not aware that said permission had been granted. Kindly advise me if such has been given

I have the honor to be
Sir
Your obedient Servant
Wm Pearce
Supt.

The Secretary
Dept. of Interior
Ottawa

W. M. A. & D.

478

1212

Gedgeny 12. Dezember 1814

Mein.

Ihnen die Ehre zu machen
Ihnen ein Paar Zeilen zu
M. G. Fürsten Hochfürstl. Durchl. zu M.
Ihr Ihro k. Hoh. Ihr zu
reichen Ehren.

Ihnen Ihr zu diesen Ihrer Letzten
zu setzen so lange abwesend sind
Ihnen Ihr die Ihnigen Ihre Letzten zu
Ihnen zu ehren & Ihnigen abzuhalten
er Ihnen. Ihnen Ihnen zu Ihnen;
Ihr Ihnen nur Ihnen Ihrer Ihnigen
Ihr Ihnen Ihnen einen

Ihnen Ihr Ihnen
Ihr
Ihnen Ihnen Ihnen
M: Ihnen
M: K. K. P. Ihnen

Copy

1184

1212

Banff N.W.T. Territory
August 3. 1886

W. Pearce
Land Office. Calgary

Dear Sir,

On my return to Banff I learnt that the Hon. Mr White had given a man the privilege of building a log stable right close to my sister, and seemed to ignore my right to the quarter section I have been living on, and applied for six months ago. and I dont see why I should not be allowed the privilege of a homestead as well as others. I have been doing business up here and at Calgary for the last three years, and all I ask is the N. West quarter section of Sec 1 Township 26, Range 12 of the 5th P. M. If I am not allowed to homestead, please let me know the price you put on it

Yours very Respectfully
for J. W R. Roberts.

479

1184

1212

Copy

Legation of the United States
Bruges, Feb. 3, 1898

M. Pierce
Care Affres. Belgium

Dear Sir,

We are returning to Brugt 4
hours this a.m. We shall be glad to
have the privilege of hearing of the
class, if any exist, and assure to ourselves and
[illegible] the pleasure [illegible] there being
no other chance for us ourselves [illegible]
there has only [illegible] and be allowed the
privilege of witnessing [illegible].
Where does Henri Heinze reside and at
[illegible] by the bye there, and on
[illegible] to the Water Quarter Antwerp after
Thursday next 10, Tuesday is after 3 P.M.
If I am not allowed to witness, please let
me know this three days post as it

Yours very respectfully
W. W. H. Hoyle.

Copy

1185

1212

Calgary 18 Aug. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 3.d inst. re permission given by the Minister of the Interior to a party to erect a building alongside of yours at Banff and in reply beg to state that I know of no such privilege having been granted.

As to the further points alluded to in your letter, I have at present nothing to add to what was conveyed to you in mine of the 4th inst.

I have the honor to be
Sir,
Your obedient Servant
(Sd.) Wm. Pearce
D. H. & C. L. Supt of Mines

480

1882

Copy

1912

Oldpond 12 Dec. 1882

Dear Sir,

I have the honor to acknowledge the receipt of your of the 3.rd inst. to secure the Premises described therein. My title deeds are at present in the hands of Messrs. Smith Jones & Co. and I cannot therefore comply with your request at present. But as soon as I can get them I will forward them to you.

I have the honor to be
Dear Sir
Your obedt. Servt.
(Sd) Wm Jones
Wm. Jones Esq.

1186

1213

Calgary Augt 19 6

Sir

I would request that at your earliest convenience, you would be pleased to prepare Town Ship diagrams (large size) to illustrate the following:-

In say red all that may have been reserved for access to water for stock, putting on margin or back a precise description of same.

In another color - say blue - all H & P or Sale entries, designating them by the letters H & P and a "X" lands affected -

In another, say green - put in all claims to which no entries have been granted, mark whether it is a homestead or purchase application

In ordinary lead pencil put in any claims upon which you have received instructions to grant entry, but to which entry has not yet been effected -

Also position by letter each range by itself, any Town ship which is cut in a stream or in which you have reason to believe there are no living springs you may omit from this list

I have the honor to be

Sir

Your Obt Servant

Wm Pearce

Supt of Mines &c &c

On your

Dom Lands

Lethbridge

481

1184

1213

Leipzig den 5.12 6

Lieber

Soeben erhalte ich Ihren lieben Brief und danke Ihnen herzlich dafür. Ich habe mich sehr gefreut, daß Sie mir schreiben und daß Sie mir Ihre Adresse mitgeteilt haben. Ich werde nun Ihrem Wunsche gemäß sofort meine Arbeit über Ihre Theorie der elektrischen Wirkung in Angriff nehmen und Ihnen dann das Resultat meiner Untersuchungen mitteilen. Ich werde mich dabei möglichst kurz fassen, da ich weiß, daß Sie nicht viel Zeit haben. Ich werde mich auch bemühen, die Arbeit möglichst bald zu beenden, damit Sie nicht zu lange auf dieselbe warten müssen. Ich habe mich sehr gefreut, daß Sie mir schreiben und daß Sie mir Ihre Adresse mitgeteilt haben. Ich werde nun Ihrem Wunsche gemäß sofort meine Arbeit über Ihre Theorie der elektrischen Wirkung in Angriff nehmen und Ihnen dann das Resultat meiner Untersuchungen mitteilen. Ich werde mich dabei möglichst kurz fassen, da ich weiß, daß Sie nicht viel Zeit haben. Ich werde mich auch bemühen, die Arbeit möglichst bald zu beenden, damit Sie nicht zu lange auf dieselbe warten müssen.

Mit

Ihr

Heinrich Hertz

1214

1187

Francis White
of W. D. Kufoot. Cochrane

Calgary 14th Sept. 6.

"Your letter just received. Morley settlers agreed to pay its amount tomorrow Am Telegraphing D. McDougall about it.

W. Pearce

1188

1215

D. McDougall Esq.

Calgary 15th Sept. 6.

Please see Morley settlers leave Gurney pens in lieu for White's timber.

W. Pearce
Agent

1214

1184

1215

1188

1216

1169

Calgary 15. Sept. 1886.

Sir,

I have the honor to acknowledge the receipt of yours of the 22nd July & 8628 Ref 16383 having reference to the claim of George Glaciers to Sec. 27-16-27 W2nd. It did not reach me till the night before last on my return from Edmonton. It was put in the safe and was locked when I returned last to Calgary from Winnipeg.

I enclose with this, a copy of my report, in which all the facts are recited. By reference to the township map, this Sec. was & thus surveyed, that is the first work done in 1879, and he knew it was an odd section. At that date however odd sections were open for entry and had it been open for entry he probably would have entered. As he did not return till 1881 he would have been liable to cancellation, but probably on his representations he would not have been, in which case he would have had his N. and his S. would have been 81st To acquire any right to the other half of the Section in 1879 he would have to have bought it and paid cash. His S. would have been due in 1882, therefore at this date, if granted what he wants he owes 3 years interest on $160 and 2 years interest on $320.

That

N. N. Smith Esq.
Commissioner Dom. Lands
Winnipeg

484

1167

1216

Calgary 28. Sep. 1886.

Sir;

I have the honor to acknowledge the receipt of yours of the 22nd July & Ref. No 16333 having reference to the claim of George [illegible] to Sec. 24. Tp 26. R 2 W 5th. It did not reach me till the night before last on my return from Edmonton. It was put in the department [illegible] when I returned last to Calgary from Winnipeg.

I enclose with this, a copy of my report, in which are the facts and details.

By reference to the township map, this S.E. was Thomson's [illegible] of this is the first work was done in 1879, and he thought it was an old location. At that date however not all sections were open for entry and had it been open for entry he probably would have entered. He did not return till 1883 but would have been able to cancel [illegible] but probably no representations would have been made, in which case we [illegible] that he H. and his [illegible] have been [illegible] to the other half of the section in 1879 he would have thought it was [illegible] Canada [illegible] would have been done in 1882, therefore at this date, if [illegible] what he [illegible] on [illegible] and [illegible] in [illegible].

I have

H. H. Smith Esq.
Commissioner Dom. Lands
Winnipeg

1216

That is he asks 3/4 section be now sold to him for $480 - and the other 1/4 be homesteaded.

By entry + purchase in 1879 that land would cost $480 plus interest at say 8% (money is worth that to him) $320 for 4 years plus $160 for 4 years = $230.40 simple interest; if compounded annually very much more.

Therefore that land would cost him $710.40. At 6% simple interest = 142.80 plus $480 = 652.80. If he be now granted a P. at 4% + the N 1/2 of Sec. sold to him at 82½ it will cost him $800 - at price scrip is now selling, it will cost in cash about $600 ±.

I have gone into this calculation to illustrate that he is not losing anything if granted now a N. + P at 4% and the other 1/2 at 82½ though I cannot now see any strong grounds for treating him differently than was suggested in my report of Feb. 11, 1884. He may claim that it is not fair to cite scrip now at 45 cts. in the comparison. It can be shown that it is, as this case has to be judged on its equities - legally he has no standing whatever. And further, money at Prince Albert has been since 1881 worth much more than 8% per annum.

On the other hand no right accrues to a man by reason of improvements such as his. He states to me that there were 5 ac. of breaking in 1879, to which Inspector Parks a few furrows. In neither case on his return in 1881, they were of little or no value. And he could have, without loosing anything on his improvements, taken up land readily elsewhere than open for entry as

no

no doubt by this time (1883) he was aware odd sections were reserved.

Under all the circumstances, however, I recommend that he be granted a H. entry and a P. at $1.25 per ac. & the balance of the Section at $2.50 per ac.

I have the honor to be
Sir,
Your obedient Servant.

W. Pearce
Insp.

1216

486

Copy

1190

1216

Prince Albert
February 11th 1884

Sir,

I have the honor to enclose herewith Prince Albert Office file 169 relating to the application of George Glaister to H. of S. S½ 27 - 46 - 27 W 2 m. and to purchase the N½ of said Section at One dollar ($1.00) per acre.

The evidence goes to show that Glaister in 1879 settled on the land in question and broke 5 acres. He then returned to Ontario intending to sell his property there and return with his family to this district. Owing to a failure of the crops in Ontario he was unable to dispose of his property there until about February 1881 when he at once set out with his family for this district. When here in 1879 he would have made entry for the land in question - he states - had it at that time been open for entry.

Having, as he thought, shown his good faith by making the improvements above mentioned he believed the Government would permit him to make his H and H entry and on his return to the Country in 1881 he took possession of the land and has resided thereon continuously ever since.

Glaister has now 85 acres broken, 70 of which have been cropped, a house and other

A. Walsh Esq.
Dom. Lands Commr.
Winnipeg Man

1216

Paris

Mercredi 11 Février 1891

Mon cher Ami,

Merci de votre bonne lettre. Je suis désolé de ne pouvoir aller vous voir aujourd'hui, mais je suis retenu à la maison par une migraine affreuse. Je vous verrai donc Samedi prochain à 3 heures. Je vous prie de présenter mes hommages respectueux à Madame votre mère et de croire à mes sentiments affectueux.

Votre dévoué

Marcel Proust

487

1216

Mon cher ami

Je suis heureux de te
savoir bien installé
dans ton nouveau
logement et de te
savoir bien occupé
à ton travail.
Mais tu ne dois pas
oublier que tu as
promis de venir
passer quelques
jours avec nous
à la campagne
pendant les vacances
de Pâques. Nous
comptons bien
que tu ne
manqueras pas
à ta promesse
et que tu
viendras
nous voir
le plus
tôt
possible.
Ma femme
et moi
nous
t'embrassons
bien
affectueusement
Ton ami
Frédéric

other buildings worth $100 and fencing worth $300: he is undoubtedly a first class settler.

I think the most liberal way in which he can be treated is under sub Clause 'b' of the Regulations of 25th May 1881 in which it is recited that settlers on odd sections north of the main line belt of the Canadian Pacific Railway should each have the privilege of purchasing, to the extent of 320 acres of the odd numbered sections occupied, at the price of $1.25 an acre but that patent should not issue for the land so purchased until after 3 years actual residence thereon by the grantee.

In Masters case, however, I would recommend that the price of the land be at $1.00 an acre owing to its isolated position at the date residence began. In a few months he will have completed his 3 years residence and will then have the privilege of making a H. entry, if he desires to do so.

I would also recommend that he be permitted to purchase the remainder of the Section at $2.00 per acre.

As it is possible that he may be unable to raise the money to pay for this land, it might be well to sell it to him on time, ¼ Cash, balance in 1. 2. and 3 years - interest on the unpaid portion at the rate of 6% per annum: patent to issue on payment of the full amount

I trust that this will meet your approval.

I have the honor to be

Sir - Your obedient servant

A. Wm Pearce

Inspector

1217

1191

Calgary 15 Sept 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 20th ult. 38/2448 having reference to the claim of Matthew Bourke, relating to certain lands granted by the Commissioner of Dominion Lands by letter Ogilvie Sept 30 1882 and to say, that the title to the S½ Sec 28 Tp 26 R 2 W 4th has not passed to the Mortgage Co. This being a fractional Tp. is the reason why it is still outstanding in which case you may grant entry to the said Mortgage Co. for the same to the Comr. dated Nov 1885, which ever that be for quantities to N. the N½ of said Sec 28; the N.W. ¼ 28, containing 155 ac; for the N.E. ¼ 22 containing 80 ac, and the S.W. ¼ 27 containing 80 ac.

Please notify them to this effect, and advise the Comr. by forwarding a copy of this.

I have the honor to be
Sir,
Your obedient Servant
[illegible]
Agent

Agent Dom Lands 3
Letterbook 3

1911

1917

1192

1218

Calgary 15. Sep. 1886

Sir,

I have the hnor to acknowledge the receipt of yours of the 21st ult. R.f.s 502/12 D. 8763 enclosing Schedule of claims to portions of Hudson Bay Lots in the Prince Albert District.

I return the same herewith with Recommendations in each case signed.

They, if approved, should be signed by you and sent, in copies, to R.A. Urgent.

Would you kindly have a copy of the Recommendations in each case made & sent to me so that my record thereof may be complete

I have the hnor to be
Sir,
Your obedient Servant

J. McLean

The Commissioner
Dom. Lands.
Winnipeg

1218

Telegramm 15. Juli. 1918

Lieber,

Ihnen die Nachricht zu übermitteln, daß
Hermann Hesse gestern in Montagnola
[illegible] Nachbarschaft gestorben ist.
Die Beerdigung findet Freitag
Nachmittag statt.

Ihnen die innigste Anteilnahme
Ihrer [illegible]

Ihre Hermine Hesse
Bruno
Martin

Ihre dankbare
Mutter
Marie Gundert

1193

1219

Calgary 15 Sep. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 23rd ult. D. 29944 Ref. 6n 845 being a dispute between Mr. R. James & Alex Begg concerning Sec 12. Tp 21. R. 28 W4th.

You will notice Mr. James' letter is dated the 22nd July the day the Minister of the Interior left Calgary for Ft. Macleod. Mr. James states on the evening of July 21st in presence of the Minister that he was willing to accept the W½ of said Sec. (he was inadvertantly told he could apply his H. R. Warrant on the 3 Quarter Sec) under the order of the C. P. Begg has obtained the S½ and James the N½. If Beggs don does not comply with the H. requirements, his entry of course can be cancelled. Mr. James obtains the N. W. ¼ on which the Spring & Creek & his buildings are situated, and the 200 allowance on the S. side gives him all the access he requires to the remaining lands he purposes acquiring.

I think this matter be considered settled. It may be that he has found other lands which would suit him better; but as by this decision he has been given his choice of the portion of the Section, and protected in his improvements it does not seem to me that he is entitled to any further consideration

The Commissioner
Dominion Lands
Winnipeg

Respectfully submitted

Wm Pearce
Supt.

491

1193

1219

Calgary 15 Sept. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 23rd inst. No. 9974 Ref. 84545 being a dispute between Mr. R. Jones & Alex. Begg concerning Sec. 12 - Tp. 21. R. 28 W 4th.

You will notice Mr. Jones letter is dated 22nd July the day the Minister of the Interior left Calgary for St. [illegible]. Mr. Jones stated on the evening of July 21st in presence of the Minister that he was willing to accept the W½ of that Sec. (he was undoubtedly told he could apply for the N.W. [illegible] on the 3 Quarter [illegible] of the S.D. Begg has obtained the [illegible] from the W½. If Begg does not comply with the requirements, his entry of course can be cancelled. Mr. Jones obtains the N.W.¼ on which the [illegible] of [illegible] & his buildings are situated, and the [illegible] on the E. side of the [illegible] all the [illegible] to the remaining lands he purposes acquiring.

I think the matter be considered as settled. It may be that he has found out [illegible] Letter; as by the [illegible] his [illegible] of the [illegible], and protection in his improvements it does not seem to me that he is entitled to any further consideration.

The Commissioner
Dominion Lands
Winnipeg

Respectfully, the [illegible]

Wm. Pearce
Supt.
[illegible]

1194

1220

Calgary 15 Sep. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 20th ult. B.8961 Ref. 66332 being the application of one Edward Metcalfe of Lethbridge to purchase N.E. ¼ 18 S.E. ¼ 19, 2 & 10, R. 16 W. 4th, & asking for an expression of my views thereon.

1st. He is entitled to 160 ac. but that should be satisfied by one ¼ Sec. not by two fractional ones, giving him a mile of River front.

2nd. Until this water Reservation for stock be made it would be inexpedient to sell the land in question. It may be required for purposes of stock watering or shelter.

3rd. I think it would be found that on the N.E. ¼ of Sec. 18 the N.W. Coal & Nav. Co. spent a deal of for coal & expended considerable money thereon. It was reported that the seam through boring about 3 ft. thickness was of superior quality and in disposing of this ¼ Sec. it is possible that in the public interests a reservation for access for mining purposes should be made.

I would suggest that Mr. Metcalfe be advised if he wishes to locate his Scrip at once. It may be on lands in Ranching districts bounding on water, which in the public interests it might be advisable to reserve for water or else for stock, or lands which contain coal valuable for mining purposes; otherwise his application will have to lie till an inspection is made, and the necessary lands reserved

Commissioner Dom. Lands
Winnipeg

Respectfully submitted
J. W. Lucas
Supt.

1220

492

Delgorod 15 déc. 1916

1195

1221

Calgary 15 Sep. 1886

Sir,

In conformity with your telegram I called on Mr. Watson in reference to concluding the investigation into the charges preferred by Mr. W. Scott Robertson against Mr. Crown Timber Agent Anderson. And his statement was that it would take at least 10 days to obtain the witnesses he wished; and I could not stay for that time.

He asked that Mr. Stipendiary Magistrate Pouleau be requested when next in Edmonton in October, be requested to take this evidence, that he had already done the same at Edmonton in connection with a charge preferred against an official of the Public Works Dept. Failing in obtaining this that Mr. Gamaran be instructed to take the evidence. Though the latter would have nothing to do but take down the evidence he does not wish to do so, fearing thereout the relations between himself and the Crown Timber Agent might become unpleasant.

I have seen Mr. Pouleau and he states that he will be holding Court in Edmonton on 13th October and if requested by the Minister will take the evidence provided he is furnished with a copy of the charges, so that he will know the limits within which to confine the evidence offered.

&c

N. H. Smith, Esq.
Comr. Dom. Lands
Winnipeg

493 – 1193

1221

Calgary 15 Sept. 1886

Sir;

In conformity with your telegram I called on Mr. Watson in reference to conducting the investigation into the charges preferred by Mr. W. Scott Robertson against Mr. Crown Timber Agent Anderson: But his statement was that it would take at least 10 days to obtain the witnesses he wished; and I could not stay for that time.

He asked that Mr. Stipendiary Magistrate Rouleau be requested when next in Edmonton in October, be requested to take the evidence, that he had already done the same at Edmonton in connection with a charge preferred against an official of the Public Works Dept. Failing in obtaining this that Mr. Dawson be instructed to take the evidence. Though the latter would have nothing to do but take down the evidence he does not wish to do so, fearing that the relations between himself and the Crown Timber Agent might become unpleasant.

I have seen Mr. Rouleau and he states that he will be holding Court in Edmonton on 13th October and if requested by the Minister will take the evidence provided he is furnished with a copy of the charges, so that he will know the limits within which to confine the evidence offered.

&c.

H. H. Smith Esq.
Comr. Dom. Lands
Winnipeg

Wm

1221

[illegible]

He asked that you send him at once a number of subpoenas in blank, his object in making that request is that his witnesses would not be got at. He said that the Courts in Ontario did so, and wanted about 20 such subpoenas. If you required the names, he asked that Mr. Anderson be not advised thereof.

I replied that you would decide whether or not you would issue subpoenas in blank that I would to save time send you the list under Confidential Cover. If you required to make it official you could, if not you would not.

I have the honor to be
Sir,
Your obedient Servant
Wm Pearce
per N.A.C.D. Supt. of Mines

1196

Confidential

1222

Calgary 15 Sep. 1886

Sir,

As explained in an official letter today concerning the charges preferred by W. W. Scott Robertson of Edmonton against the Crown Timber Agent Mr. Thomas Anderson, his solicitor requested that subpoenas be issued in blank, stating that the Courts in Ontario did this; and that his object in asking for this, was that the witnesses should not be "got at."

My reply was, that if you felt that you should authorize this to be done, you would do so. But if the names were required to save delay I would furnish a list of the witnesses, which you could treat as confidential if you complied with his request, if not it could be made official.

The list of witnesses is enclosed herewith

Yours &c

J. S. Dennis

N. N. Smith Esq.
Com. Dom. Lands
Winnipeg

1222

Confidentiel

Ottawa le 16 Juin 1916

Mon cher Monsieur

Je vous remercie de votre aimable lettre du 14 courant et je suis heureux de vous informer que j'ai déjà pris les mesures nécessaires pour faire publier votre discours dans la Gazette du Travail.

Je vous prie de croire, mon cher Monsieur, à mes sentiments les plus distingués.

Votre très dévoué

Mackenzie King

M. A. Lemieux, M.P.
Ottawa

11223 1223

1197

List for Subpoenas :

W. Anderson.
Harry Robertson
Luke Kelly
John Kelly
Harry Goderich
— Barwick
Xavier St. Jean
Baptiste Lepin
N. Vandal
— Laderoute
A Taylor
F. Lamoureux
Joseph McDonald
James McDougall
Sam[e]. Cunningham
John Connors
M. Galbraith
J.A. McDougall
F. Provost
Dan[e]. McKenley
J. Mowat
A. McDonald
W. K. McKenney
David Daigneault.

1197

1122B 1223

List for Subpoena :

W. Buchanan.
Harry Robertson
Lizzie Kelly
John Kelly
Harry Gardiner
— Bannerot
Louis St. Jean
Baptiste Lepine
A. Vandal
— Lachance
B. Taylor
A. Lamoureux
Joseph McDonald
James McDougall
Saml. Cunningham
John Brown
M. Galbraith
J. A. McDougall
A. Provost
Danl. McKinley
J. Marat
A. McDonald
W. R. McKenney
Louis Dargneault.

1198

1224

Calgary 15 Sept. 1886

Dear Mrs Adams,

I have the honor by direction of the Minister to inform you, that under the particular circumstances connected with your claim to land at Morley, Lot 5 or a portion thereof.

Such an entry, however, is not to be permitted to become a precedent

I have the honor to be
Sir,
Your obedient Servant
Wm Pearce
Supt of Mines
D. of I. & O.

Mrs Augusta Minerva Adams
Morley

1224

1178

497

1199

1225

Calgary 15 Sept. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 2nd inst. B.9019 Ref. 6730 having reference to Mr. Allen E. Smith's claim to purchase the S.W¼ - 25 - 27 - 26 W 2nd M.

One John McDonald (not McDougall) preferred a claim to same & by the decision of the Land Board no right was accorded him beyond the right to purchase whatever half of the same he wished within 60 days - price to be $2.00 per ac.

If the Agent has notified McDonald to that effect, and the time has elapsed, I see no reason why the S.W¼ should not be sold to Mr. Smith. Otherwise give him the right for that time.

Is this the Mr. Smith whose Patent was applied to be Cancelled?

I have the honor to be
Sir
Your obedient Servant
Wm. Pearce
Supt. of Mines
per A.G.C.

The Commissioner
Dom. Lands
Winnipeg

1225

Bridgeport 15 July 1886

Dear

Please file away in confidential file
receipt of yours of the 5th inst. Report Rel.
Lyman Manufacturing & Iron Alloys Co.
Please to procedure file 4 W.M. - 25-09-26 Wr. Mr.

Our Mr. Hoffmann (not Hoffmeyer)
proposed to close it here with the decision
of the Court. Mr. Brown on replies as agreed
that before the Judge is prepared to
hear of the case he wishes to be
clear - Yours &c &c Yours &c.

If the Court has notified proceedings
to that effect and the time has elapsed,
I see no reason why the Albion
not be sold to Mr Lewis. Otherwise
we should refer to our letter.

Is this the Mr Lewis who failed as
director of the Company?

Yours &c &c
&c
Wm Adamson Brown
Wm Brown
Esqr Attorney
Pr A.D.C.A.

Yrs Truly
Wm Brown
Secretary

1200

1226

Calgary 15 Sep. 1886.

Sir,

I have the honor to acknowledge the receipt of yours of the 14th ult. Ref. 66218. B.8883 having reference to the claim of Alfred Arcand to W½ lot No 29 St. Albert.

From sworn statements corroborated it would appear that he is entitled to make H. E. entry - the latter to be $1.00 per acre. He did not commence residence till a short time subsequent to 1 Sep. 1880. But in July of that year he bought out the claim of one Roger Berard who had resided thereon since 1878. the improvements of the latter however were very meagre.

The file is returned herewith

I have the honor to be
Sir,
Your obedient Servant
Wm. Pearce
Supt.
per Baxo.

The Commissioner
Dom. Lands
Winnipeg

1226

Sheffield 16 July 1880.

Dear Sir,

I have the honor to acknowledge the receipt of yours of the 14th inst. Value £3.3.3 Penny Subscription to the Chemical Society Received by Post Office Order.

I have duly entered your name as a subscriber to the Chemical Society - the Letter to the Secretary, he does not communicate with me, but will doubtless subsequently to 1 July 1880. Post will after which he sends out the Chemical Society Journal with the Publications thereon since 1878. the supplement of the latter January next year.

Yours very truly,

[illegible]

Yours Obediently
Wm. Odling
Asst.
Professor.

The Secretary
Mr. Evans
Mining

1201

1227

Calgary 15 Sep. 1886

Sir,

In reference to yours of the 13th ult. 2155/2116, I have the honor to request what length of notice is to be given, how and by whom? Also to request that the papers for examination be sent as soon as convenient under sealed envelope to the care of Mr. Aikman N. L. Agent New Westminster. Mark on the envelope "Examination Papers" & to be held by him till I ask for them. Or perhaps they can be left till notice is given of the examination and then sent direct to my address Victoria.
I merely make these suggestions that there may be no delay or hitch when I do go West to the Coast which I expect will be next November.

I have the honor to be
Sir,
Your obedient Servant
Wm Pearce
Supt of Mines
N. W. A. & O.

P. B. Symes Esq.
Secy. Board of Examiners
Dept. of Interior
Ottawa

500

1221

1221

Cologne 12 July 1881

Dear Sir,

I have the honour to request that you will be kind enough to inform me whether the Patent Office would be prepared to accept the Specification of my Invention of "Improvements in the Construction of Permanent Way" for the Provisional Protection of the Patent Law of 1877 without the Drawings which are necessary to explain the Invention.

I am prepared to pay the Fee for the Provisional Protection as soon as I am informed that the Drawings may be dispensed with.

Please address your reply to me at the Hotel Disch, Cologne.

I am, Dear Sir,
Yours obediently,
[illegible]

The Secretary of the Patent Office
25 Southampton Buildings
London W.C.

1228

1202

Private

Calgary 15 Sep. 1886

My dear Eden,

Yours of the 14th. ult, having reference to the road from Lake Dauphin to Minnedosa, I received only two days since on my return here from Edmonton, where I have been nearly 6 weeks.

What I meant to say was, that the difference in distance is 35 miles. I hope my mistake has not done any injury. I dont think it could, as anyone on reference to the map could readily see what was meant.

Would you, if you think it necessary, advise the Head Office Ottawa, that I meant the difference in distance was 35 miles

Yours very truly
Wm Pearce
Dr. N.W.T.D.

A. J. Eden Esq.
Land Comr. Man & N.W.Ty
Winnipeg

1228

501

Copie

Colombes le 16 Juin 1888

Mon cher Ami,

Je suis bien heureux de vous savoir de retour à Paris et je vous remercie de votre bonne lettre. Je vous envoie ci-inclus la traduction de la lettre de Mr Wilson. Je vous prie de vouloir bien me la renvoyer après en avoir pris connaissance.

Mr Wilson m'écrit qu'il a reçu de vous une lettre dans laquelle vous lui demandez la différence qu'il y a entre 35 mille et 35 millions. Mais je ne vois pas que vous ayez répondu à cette question. Veuillez donc me dire si vous avez reçu cette réponse.

Mr Wilson m'écrit aussi qu'il a reçu de vous une lettre dans laquelle vous lui demandez la différence qu'il y a entre 35 mille et 35 millions. Mais je ne vois pas que vous ayez répondu à cette question. Veuillez donc me dire si vous avez reçu cette réponse.

Je vous prie de vouloir bien me rappeler au bon souvenir de Mme Turner et croire à mes sentiments les plus affectueux.

Votre dévoué

H. Turner

1229

1283

Calgary 16th Sept 6

Sir

I have the honor to forward to you address two packages of ore. one was taken out of mine, the other a set of clinker ore from other samples smelted or fused by action of a blast heat in a Cupola. a temporary arrangement.

The ore comes from what is known as the Stanley claim which has been purchased by him from the Govt situate on North side of the Saskatchewan River about 50 miles above Edmonton. Mr. Stipendiary Magistrate Rowan paid in the purchase monies for him last Winter or Spring. By this means you will be able to locate it which I understand is one of the conditions under which assays are made by the Geo. Branch of your Dept.

My chief object in sending this is on account of a controversy whether the ore contains gold in paying quantities or not. It being stated by some that there is no gold in it by others that an assay was made by Professor Chapman

A.M. Burgess Esq
Deputy. Minr of Interior
Ottawa

1229

1263

202

Lord and Lady [illegible]

6

Dear

I have the honour to forward you a copy of the Proclamation which has been issued by the Governor of Ceylon. We were told at Colombo that it would be published in the Ceylon Gazette on Friday last, but it has not yet appeared. I am sending you a copy of the Ceylon Observer containing a report of the proceedings at the meeting held in Colombo on the 26th inst. to consider the Proclamation.

Lord Chelmsford has evidently had a very difficult task to perform, and I think he has done it very well. The Proclamation is very much stronger than I expected it would be, but I suppose it is necessary that it should be so. The Sinhalese are very much excited over the matter, and I am afraid that the Tamils will be very much disappointed that the Proclamation does not go further in the direction of giving them a larger share in the Government of the Island. I am afraid that the Tamils will be very much disappointed that the Proclamation does not go further in the direction of giving them a larger share in the Government of the Island. The Sinhalese are very much excited over the matter, and I think he has done it very well. The Proclamation is very much stronger than I expected it would be, but I suppose it is necessary that it should be so. The Sinhalese are very much excited over the matter, and I am afraid that the Tamils will be very much disappointed that the Proclamation does not go further in the direction of giving them a larger share in the Government of the Island.

Yours sincerely

Clauson

Lord Chelmsford G.C.M.G.

1229

Chapman of Toronto which yielded highly
I am say the assay by Chapman was of the
fused ore and he could not therefore esti
mate the yield from Raw ore.

Kindly have an assay made of both
Samples and advise me of the result.

I have the honor to be
Sir
Your Obdt Servant
Wm Parry
Mr Bruce

203

1223

Ich habe mich gefreut, daß Sie
Ihre Frau Gemahlin
die
Ihnen die Ihres Herzens
Freude machen werden.
Gestern war ein recht trauriger Tag
mit dem Tode des Grafen.
Wir sind sehr traurig über diesen Verlust
Ihrer Freundschaft
Ihr

1230

1204

Calgary 18 Sep. 1885

Sir,

In reference to the claim of Adam Webb to N½ 26 - 23 - 1 W 5th referred to in your office of the 26th ult. D.G.O. Ref. 33029, I have the honor to state that no copy was kept of it in this office. It was forwarded to H.Q. on the 13th day of August 1885.

So far as my memory serves me, it was on the ½ Sec. in 1882 after the S. limit thereof had been surveyed, which was surveyed in 1881. This comes within the class of claims who settled subsequent to 15 Feb. 1882 and prior to the regular survey of Township, and which the Dom. Land Comm. C.E. has agreed to sell at $2.50 per acre to claimants.

I have no list of these claims nor have so far any means of keeping a record. I presume there is such a list in your office.

So far as my memory serves me, they consist of the following:

John Robertson S½ 5 - 23 - 1 W 5th
W. Webb N½ 8 - 23 - 1 W 5th
Napoleon Mayette part 3 - 23 - 1 W 5th
J. Armand S½ 35 - 23 - 1 W 5th
Joseph Bullant W½ 33 - 23 - 1 W 5th
Wm Scullion S½ 19 - 24 - 1 W 5th
Joseph Ross E½ 5 - 22 - 29 W 4th
James Grenville N.E ¼ 35 - 23 - 1 W 5th

J. Armand S½ 35 - 23 - 1 W 5th Claims before me

W. H. Smith Esq.
Commissioner Dom. Lands
Winnipeg

1230

1204

504

1230

505

1230

about one month ago, and amended his original declaration explaining how he was misled as to dates when he made the original. He has not yet had his statements corroborated but they bear the imprint of strong probability and he will likely be entitled to entry.

I have the honor to be
Sir
Your most humble
Obt. Servt.
Supt.
P. M. A. R. D.

12057

1231

Calgary 18th Sept. 1916

Sir,

I have the honor to acknowledge the receipt of your letter dated the 16th inst. applying to have your entry, made last April, for Sec 18 - Sec. 20 - 24 - 1W5th changed so as to allow you to come under sub clause 4 of Clause 33, Min. Act.

I beg to state that your application has been referred to the favorable consideration of the Commissioner

I have the honor to be
Sir
Your obedient Servant
Wm Pearce
Asst
M.A.G.

Jas. M. Martin Esq.
Calgary

506

1231

1232

Calgary 14 Sept. 1886

Sir,

I have the honor to enclose herewith copy of a letter received this day from Jas. M. Martin concerning his H. entry to S.W. 1/4 28-24-14 W 4th

He wishes his entry converted into the 5 year class, which I presume can be done. As you are aware, he has applied to purchase which has been refused, now he thinks that in two years he will be able to comply with the residence provisions of the Dom. Lands Act.

The Agent here informs me that this Amendment of last session has been made retroactive, in which case Martin can take advantage thereof without permission. The special conditions under which entry was granted in this Township were applicable only so far as cultivation and improvements were concerned the remainder coming within the H. Provisions of the Lands Act.

Please advise me if the amendment has been made retroactive and instruct the Agent to notify Martin as to action in this case

I have the honor to be
Sir
Your obedient Servant
Wm. Pearce
Supt.

N. St. Smith Esq
Comm. Dom. Lands
Winnipeg

1232

1206

502

Wolfenweiler, July 1st 1916

Dear,

Many thanks for your letter received
today. I'm glad to hear that you
like the Breisgau country. It really
is a lovely district. We are still
having splendid weather, and the flowers
are very fine. In a few days the harvest
will be in full swing, and then we shall
have to work hard. Our little daughter
is very well, and is growing quickly.
She is now sitting up in her pram.
Please excuse me as I am busy.
With best wishes,

Yours sincerely,
Emma Fischer-Lauer
Mrs.

P.S. Have you had any
more visitors?

1207

Copy

1232

Calgary N.W.T.
Sept. 16th 1886.

— Pearce Esqr.

Sir,

Having failed to make arrangements with the Dept. of the Interior. Concerning S.W.¼ of Sec. 28. Township 24 West.

I would now make application to have my Entry for the same made last April Changed so as to allow me to come under sub-clause 7 of Clause 33 - 46 Vic Chap 17 An early reply will much oblige

Your obedt Servt.

Jas. M. Martin.

508

1207

Cöln

1232

Weldorf n. W. d.
den 15. Juli 1886.

Lieber Vater!

Heute Früh ist unser neugeborenes
Kind mit Hilfe des Herrn Geburtshelfer Dr. Hüls
glücklich zur Welt gekommen.

Unsere Freude ist natürlich eine große.
Mutter und Kind befinden sich den Umständen
entsprechend so wohl wie es irgend möglich
ist. Ich habe nun 3 Kinder - Hilfe Gott - und
werde mich wohl
Ihren Segen
erbitten.

1233

1208

Calgary 18 Sep. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 16th ult. B8900 Ref. 66314 having reference to a claim preferred by an Indian named "Mersua" to the W½ N W¼ 19 - 1 - 18 W P.M. which land under decision of the Land Board was sold to one Peter Grant, and asking for any recollection I may have had of this.

In 1879 when I ran the Meridian between Ranges 18 & 19 across Tp. 1., I found there were three or four Indian shanties on Sec. 19, probably all of them on the N.W. ¼ of this Sec. At that time there was no one living in them. I was informed by B. B. LaRiviere, who had settled on Sec. 29 in the same Tp. about the year 1874, that these houses had been erected by American Indians who trapped and hunted through Turtle Mt. and had there, on account on account of his LaRiviere's trading establishment being in that neighbourhood. This is what is found in very many places throughout the North West. I inferred that these Indians were either American or Canadian Indians. If the former they should move on their own territory. If Canadian they should go on some one of the Reserves set apart for that purpose by the Canadian Govt.

None

N. F. Smith Esq.
Comm.r Dom.n Lands
Winnipeg

1233

1208

209

Gallipoli, Italy. 1884

Dear Sir,

I have the honor to acknowledge the receipt of yours of the 15th inst. 1884 ref. 00 31st January referred to above inclosed "Answer" to the 00/00/00 - 18WCMK which I immediately dispatch after receiving your letter. Hoping you will have your satisfaction.

In 1884 when I was the President between Aug 2 1884 and 00.0.00 there were three of Lord Indian Affairs under my charge. Of that time there are now living only two. Three resigned by 00.0.00, three died before the year 1884, the three former have been vacated by Governor Indians who have left office on retirement after long service. I am informed that the Governor Indians are temporary Indians through whose influence they were appointed. This is also true of the majority of the Governor Indians. Neither the Lieutenant Governor of Bengal nor the Governor of Madras are Indians. Neither the Governor of Bombay nor the Governor of Madras are Indians. Neither the Governor of Bombay nor the Governor of Madras are Indians.

Yours

1233

Mon cher Ami

Je vous remercie de votre bonne lettre du 10 Janvier, et je vous prie de croire que je suis très sensible à votre souvenir.

Je compte me rendre à Paris vers le 15 Février, et je serai très heureux de vous y voir.

Mes amitiés à votre famille.

Votre dévoué

Alfred de Musset

210
1233

None of these Indians ever preferred any claim to the Govt. either directly, through myself, or through the local agency which has been established since August 1880; neither had anyone on their behalf preferred any such claim. And Mr. B. B. LaRiviere, who is now cited by Mr. Williams as authority for this Indians right, preferred on his own behalf a claim to purchase this 1/4 Section. And in 1882, when I went to investigate the claims in the Turtle Mt. District, the rights to this 1/4 Sec. had merged into a dispute between Grant & LaRiviere; and the Land Board had to decide which (if either) of them was entitled to purchase.

I was not aware that there was any claim preferred by this Indian; nor that he was living there: and even if I had been so aware, I dont see how his claim could be recognized. He was not a Settler, he may have lived there a portion of the time during the past 10 years, like many other Indians.

It might be well to refer this case to the Indian Dept. for report, when I think it will be found that he has no rights to this 1/4 Section, which should in any way be recognized.

Respectfully submitted.
I have the honor to be
Sir,
Your obedient Servant

1209

1234

Calgary 18 Sep. 1886

Sir,

As requested in N. C. 126947/105629 dated the 9th inst. referring to a charge of $18.25 incurred for shelving in connection with the Calgary office. I have to state that in the upstairs apportioned to me I required some shelving for books and papers. At the same time your Assistant Mr. Kirby pointed out that it was necessary to have some in your office on which to place stationery. I concurred in both being done at the same time as it was necessary

I have the honor to be
Sir
Your obedient Servant
Wm Pearce
Supt.
per. N.A.L.D.

The Agent
Dom'n. Lands
Calgary

1234

1909

511

Cudgewood 18 July 1909

Mr

We request to have the [illegible] measured by you between us connecting with the Cudgewood Mill. Please to note that in the meantime we have found a leakage on the [illegible] pipe which we intend to have repaired as soon as possible. If the above time will be found convenient by you please advise us that it may be necessary to have men in upon Mill premises to have the leakage repaired as it was necessary

Mr. A.C.E.D.

Mr. Peters Mains

Cudgewood

The Engineer Water Board

1210

1235

Calgary 22nd Jn. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 17th ult. [illegible] the lands affected by Longhurst application by Solon Somers to cancel the entry of [illegible] Longhurst to the foregoing [illegible] &c.

It would appear that Longhurst is a fit subject for cancellation and I recommend that it be cancelled and that Agent Calgary be instructed to post notices for any overage that he may receive from parties who have never had a homestead & who may apply for same for eight months, subject to ordinary conditions attached to the entry. The letter when received to be forwarded to you for consideration and instructions as to procedure.

I fail to see, because Somers Rodgers cancelled that he had a prior right thereto. Cancellation takes effect as of date it is a [illegible] with Calgary who gave out to his Homestead on the adjoining [illegible] &c. and sleeps not be night. I believe however that he has not [illegible] improvements [illegible]. He called me in reference to this matter and stated he would if Longhurst proved [illegible] he would [illegible] I am of opinion as long as this is a matter [illegible] as much [illegible] as if Longhurst were [illegible]

I have &c

W. N. Smith Esq.
Commr. Dom. Lands
Winnipeg

1235

1235

1235

So further stated he could produce evidence to show that Longhead was striving to deprive after [illegible] Lee. I advised him to file evidence of that without delay, but so far none has been filed.

Longhead is not I think likely ever to prove a bona fide Homestead and has been holding this hoping the Residence conditions of homesteading would be waived.

I send you this day per Book post pkt. per enclosed

I have the honor to be
Sir,
Your obedient Servant
Wm Pearce.
Supt.
for H.A.L.O.

1211

1236 Private

Calgary 20 Sept. 1886

My dear Sir,

I have the honor to acknowledge the receipt of yours of the 12th inst. 1886 on 1886 & 1887. requesting any suggestions I might wish to make as to the mode of obtaining an enumeration of Cattle in the Ranche Country by the Inspector of Ranches, combining economy with efficiency.

It is impossible for him or any one personally to enumerate the Stock. If there were a man to follow each "round up" party, at both the Spring and Autumn "round up" he could form a very close estimate of the number of Calves branded. But outside of these only a very vague estimate of the number of Cattle in the district could be made. Many of the Managers have only an approximate idea of the number of Cattle owned by them. Some estimate pretty closely, others wide of the mark. To accomplish even the enumeration of the Calves branded would require about 8 or 10 men about two months - from 15 May to 15 July, and from 20 Sept to 20 Oct. in each year. To visit three times and get returns would be of little avail. I think they would as readily furnish the information by letter, if blank forms were enclosed to be filled out and signed and enclosed in an envelope

A. M. Burgess Esq.
Dep. Minister of Interior
Ottawa

1236

Paris

Chiffrons de 1 à 100

Mon cher ami,

J'ai reçu votre lettre du 15 courant
et je vous remercie de vos bonnes félicitations
pour mon élection à l'Académie française.
Je suis très touché de votre souvenir
et je vous prie de croire à mes sentiments
les plus affectueux.

Bien à vous

Victor Hugo

1236

envelope addressed to Inspector and postage paid thereon.

Details of the leaseholders there are many and their numbers are rapidly increasing, who have stock varying from 20 to 600 head.

To secure an approximately correct enumeration I would propose an Act be passed somewhat similar to the Act under which the Census is taken requiring every individual every person 16 yrs. of age & upwards to send to the Inspector of Ranches a sworn statement of the number of Cattle, sheep, hogs, goats, mules & horses owned or held or controlled by him: The territory to which I think this Act should apply would be Township 2 to 20 between the 2nd and 5th Range W. 4th Initial Meridian and Ranges 30 between Rge. 6 W. of 2nd to Rge. 10 W. of 5th.

Should this not be adopted then I would suggest that a circular be prepared with blank form and mailed to each settler and one extra one to each Postmaster and ask him to give them to any parties, settlers or stockmen who have not received them. Also requesting said Postmasters to return a list of parties to whom they had delivered said extra one. This circular to explain as briefly as possible the best means in obtaining this information. To those who neglect to answer within say one month send the second circular having the list from Postmaster enclosed them to be sent direct. The R.C. Authorities or

Inspect

1236

request would no doubt without case
postmasters to act as desired.
They of course to have a blank form on
which they had only to fill in the
names and sign. My experience shows
that many will comply, when these facil-
ities are given, who would not, if they
had to prepare a letter. Any Postmaster
also who fancied to respond to be communicated
with the second time. Any Postmaster or
others who omitted to respond to be visited
by some official; a large portion might
be visited by the N. Inspector in the Calgary
district; the remainder in the neighbourhood
of Macleod by the Inspector himself.
In the course of a year or two, therefore
the Ranchemen & settlers would be educated
so that there would be very few omissions.
The Inspector should be able to manage
the Territory belonging to him in six months
and his transport should not exceed $200
for same.
I leave to say on a trip with reference to
reserving watering places in the Ranching
Country: and the many ideas which I may
then gain would be communicated with the press
themselves, & have communicated the same to you.
This is to be made official if you see fit.
All of which is respectfully submitted
I have the honor to be
Sir,
Your obedient Servant
Wm Pearce
Insp.
for N.A. & D.

1236

516

1212

1237 Private

Calgary 20 Sep. 1886.

Sir,

I have the honor to enclose herewith a copy of a letter addressed to the Dep. Minister of the Interior and marked 'Private' in reference to obtaining an enumeration of Stoney in the Kanaka Country.

I am sending you this so that you may make any comments thereon that may occur to you, which will be of benefit to attain the object desired.

I have the honor to be
Sir,
Your obedient servant
Wm Pearce
Lieut.
for H. A. L. D.

A. St. Smith Esq.
Comm. Dom. Lands
Winnipeg

1237

Copy

Private

1237

1213

Calgary 20 Sept. 1886

My dear Sir,

I have the honor to acknowledge the receipt of yours of the 14th inst. with Circular 8/2 86 & Form requesting any suggestion I might wish to make as to the mode of obtaining an enumeration of Steers in the Ranche Country by the Inspector of Ranches, combining economy with efficiency.

It is impossible for him or anyone personally to enumerate the Steers. If there were a man to follow each "round up" party, at both the Spring and Autumn "round up" he could form a very close estimate of the number of Calves branded. But outside of these only a very vague estimate of the number of cattle in the District can be made. Many of the Managers have only an approximate idea of the number of cattle owned by them. Some estimate pretty closely, others are at the mark. To accomplish even the enumeration of the Calves branded would require about 5 or 6 men about two months - from 15 May to 15 July, and from 10 Sept to 10 Oct. in each year. To visit these Settlers and Ranchemen would be of little avail. I think they would as readily furnish the information by letter, if blanks forms were inclosed to be filled out and signed and inclosed in an envelope addressed to Inspector and postage paid thereon

A. M. Burgess Esq.
Dep. Minister of Interior
Ottawa

518

1237

1237

thereon.

Outside of the Leaseholders there are many, and their numbers are rapidly increasing who have stock ranging from 20 to 100 head.

To attain an approximately correct enumeration I would propose that an Act be passed somewhat similar to the Act under which the Census is taken requiring every individual Boy between 10th and 31st of Oct. to send to the Inspector of Ranches a sworn Statement of the number of Cattle, sheep, pigs, goats, mules and horses owned or held or Controlled by him. The Territory to which I think this Act should apply would be Townships 1 to 25 between the 3rd and 15th Ranges W 4th Initial Meridian and Twps. 1 to 30 between Rge. 16 W of 4th to Rge. 7 W. of 5th

Should this not be adopted then I would suggest that a circular be prepared with blank form and mailed to each Settler. Send extra ones to each postmaster and ask him to give them to any parties, Settlers or Stockmen who have not received them. Also requesting said postmaster to return a list of parties to whom they have delivered said extra ones. This circular to explain as briefly as possible the object desired in obtaining this information. To those who neglect to answer within say one month, send the second circular - having the lists from Postmasters would enable them to be sent direct.

The P/O Authorities on request would no doubt

1237

doubt instruct said postmasters to act as directed. They of course to have a blank sent in which they had only to fill in the names and sign. My experience shows that many will comply, when these facilities are given, who would not, if they had to prepare a letter. Any Postmaster also who fails to respond to be communicated with the second time. Any Postmaster or others who omitted to respond to be visited by some official: a large portion might be visited by the N. Inspector in the Calgary district; the remainder in the Neighbourhood of Macleod by the Inspector himself. In the course of a year or two, I think the Ranchemen and Settlers would be educated, so that there would be very few omissions. The Inspector should be able to cover all the Territory belonging to him in one month, and his transport should not exceed $200 for same.

I leave today on a trip with reference to reserving watering places in the Ranching Country: and should any ideas which I may think valuable in connection with this present themselves, I shall communicate the same to you.

This is to be made official if you see fit.

All of which is respectfully submitted

I have the honor to be

Sir,

Your obedient Servant

A. Wm. Pearce

Insp.

320

1237

Merci mon cher Jacques de votre
lettre. Mon refus de vous
voir ne signifie pas que je
vous en veuille. Mais
j'ai besoin de solitude
et de repos. Je
vous écrirai
plus longuement
dès que je
pourrai.
Bien à vous
Jean

1214

1238

Calgary 20 Sep. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 18th ult. B. 8932 Ref 50565. covering papers relating to the application of Geo. L. Broderick's claim to Lee. 25-18-29 W4th.

As appears from records covering the Applic.-ation of A. L. Broderick to H. & P. as part of this Section he settled on the land in question in June 1883. This Township was subdivided in August of that year. The Eastern limit of this Section was run in 1882, Consequently he could not plead he did not know he was settling on an odd Section, But he states, he presumed that all odd & even Secs. South of the Ry. belt would be open for H. & P. entry. There is no doubt but that such was the current idea - what gave rise to it is not apparent. It cannot not do however to admit because an erroneous idea prevailed, the parties who held such should profit by it. In A. L. Broderick's Case very liberal terms were awarded and at the time he was perfectly satisfied therewith, as a letter of his on file in the Calgary Office testifies. He was granted entry to L. S. 3. 4. 5. 6. 7. 8. 11 & 12 320 ac. The reason the Section was divided as it was was on account of certain springs on the Little Bow River which is shown on diagram on back of No. 66433 of your Office, which is copied from a sketch furnished by

I am sending today file No 50565 from Land Pat.

N. N. Smith Esq.
Commr. Dom. Lands
Winnipeg

521

1238

Copenhagen 30 Jan. 1846

Sir,

I have the honor to communicate for your information that I have received from Mr. C. F. Tietgen, Esq. Consul for Denmark at Hamburg, the enclosed Letter of Credit for £ 1000 Sterling, which he has drawn upon me in favor of Mr. G. F. Thorsen, Esq. Consul for Denmark at Boston, and which I have accordingly placed to the debit of the Royal Danish Legation.

I am, Sir,
Your most obedient humble Servant
H. N. Hansteen Esq.
Minister

1238

by him.

His brother G. L. Broderick claims the right to N.½ balance of Section on purchase at $1.25 per acre. His statements are liable to be misleading. I called on his brother Richard, who lives in Calgary, who informed me that George had lived with his brother on the S.W. ¼ and I infer has little if any improvements on the portion of the Section claimed by him. The plea, that because his brother broke it up before survey for him, gives him no legal right and, when the conditions under which the brother A. L. settles are considered, gives him George no rights beyond that of any person who may now settle on an odd Section. If he wishes to H. there are plenty of vacant even sections in the neighbourhood available as such.

His reply no doubt would be that he went to this because his brother has part and also on account of being on the little Bow River well situated as regards water.

After considering all the evidence I would recommend that so much of this Sec. as is available after the water reservations are made may be sold to him at the usual price $2.50 per ac. Within two months it is probable he can be notified what he may be permitted to purchase.

On the 15th inst. his brother Richard & a neighbour named Bliss were told to notify A. L. to make no further improvements on behalf of George on the vacant portion of the Section, until this was decided, which they promised to do, George having gone to Ireland.

I have the honor to be
Sir, Your obedient servant
Wm Pearce Supt pr. H.A.L.D.

12 15

1239

Calgary 20 Sept. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 16th inst. B.9232 Ref 64962 Covering an application from one James Bruce to H. the S.E.¼ 25 & R. the N.E. ¼ 24 - 47. 1W3d.

By mems. on file placed thereon in your office it would appear that the N.E.¼ 24 had been already disposed of to one W. Bell - but my letter book shows it was the S.E.¼ not N.E.¼.

If there is no adverse claim to that of Bruce, from the evidence he is entitled to all he asks. But in granting entry, in lieu of stating S.E.¼ 25, State the Sly. 40 chs. from off the lots laid out on E½ of Sec.s 25 & 26, Tp. 47 R 1 W3 as shown on said Tp. plan.

In instructing Agent notify him to be particularly careful in entering in his Tp. Register - and see that this portion of the River Lots has not been already granted.

I send you to day the letter book you require in addition to another one. They contain the Edmonton Battleford & St Albert Claims. You can copy whatever you wish in reference to them, when please return the Books. I am also sending file No 64962

per Book Post

I have the honor to be
Sir,
Your obedient Servant
Wm Pearce - Supt.
D. I. A. & D.

N. W. Smith Esq.
Comm.r Dom.n Lands
Winnipeg

1239

523

Cologne 20 July. 1848

My dear

I have the honor to acknowledge the receipt of your letter of the 15 inst. enclosing Mr Hildebrandt's account for Music furnished by him to the Theatre. I am also sending his receipt, when please return me. Also enclose to me the letter from Mr Hildebrandt.

I am very sorry that I cannot oblige you in the matter of the Theatre Orchestra. Many persons have been trying to get me to interfere in the Engagements - and as I have this principle not to interfere in matters in which I am not personally concerned.

The engagement of Mr Hildebrandt was made by the Committee of the Theatre Orchestra on the 14 of May 1848, before I had the honor of being elected a member of the Committee. I am not aware that any alteration has been made in the terms of the engagement of Mr Hildebrandt, and I do not think that I am justified in interfering in the matter.

I am sorry that I cannot oblige you in the matter of the Theatre Orchestra. Many persons have been trying to get me to interfere in the Engagements - and as I have this principle not to interfere in matters in which I am not personally concerned.

I have the honor to be
Dear Sir
Your obedient Servant
H. A. C. E. P.
Mr: Jacobs - Bey.

1240

1216

Calgary 21 September 6

Sir,

I have been requested by Mr. Pearce to inform you that he expects to reach Lethbridge in the course of a fortnight after his leaving here.

He left on a trip for the South yesterday, with reference to the reservation of watering places for stock in the Ranching Country.

A. G. Kirby Esq.
Dep. Dpt. Dom. Lands
Lethbridge

Yours truly
A. R. Strachan
Dom. Lands

524

1240

1217

1241

Calgary 20 Sept. 1886

Sir,

I have the honor to acknowledge the receipt of your letter of the 16th inst. addressed to Mr. Pearce. The latter left for the South yesterday and will reach Macleod in the course of about 10 days from the date of his departure from here, when you can ascertain him in regard to the matter about which you have written.

I have the honor to be
Sir,
Your obedient Servant
A. R. C. Dennis.
Dy. Supt. Genl. Affairs

Mr. M. J. Wheatley
Macleod
N. W. T.

525

1541

[illegible]

1218

1242

Calgary 21 Sept. 1886

Sir,

I have the honor to enclose herewith copy of letter from M. McCauley dated 30 April 1886 (Sept. is meant) being an application to purchase the pas. S.W. 1/4 18 - 23 - 28 W 4th

The applicant I have known since 1878, and he has proved an enterprising and industrious settler and very reliable. He moved from Winnipeg to the Edmonton district in 1879 and at present is largely engaged in stock raising, and carries on among other things butchering in that vicinity.

The facts in connection with his claim are I think fairly stated. I infer the improvements made by Smith were not very extensive.

Under the decision in the Queen Albert cases, where lands were sold to applicants, by reason of improvements made thereon prior to 1880, at $2 per acre, he would be entitled to this at that figure. There is no doubt I think but that this applicant will continue his improvements, and he states that in a year he proposes becoming an actual resident thereon.

He asks, failing to obtain this at $2 per acre, that it be permitted to be taken up under half-breed land scrip. Such scrip is not as a rule applicable in purchase of Canadian

N. N. Smith Esq.
Comm. Dom. Lands
Winnipeg

526

1218

1242

Calgary 21 Sep. 1886

Sir,

I have the honor to enclose herewith copy of letter from Mr. McKinnon dated 18th Sept. 1886 (Sept. [illegible] enclosed) being an application for patent for S.E.¼ 18-23-2 W 4th.

The applicant I have known since 1879, and he has proved an hardworking and industrious settler and very reliable. He moved from Winnipeg to the Edmonton district in 1879 and at present is largely engaged in [illegible] Stock, and carries on among other things trading in that vicinity.

The facts in connection with this claim are [illegible] fairly stated. Since the improvements made by him were not very extensive.

Under the decision in the [illegible] case where lands were held to appertain, by reason of improvements made thereon prior to 1880, at $2 per acre, he would be entitled at that figure. There is no doubt I think that the applicant would continue his improvements [illegible] he is a quite the proper person becoming an actual resident settler.

He asks, failing to obtain this at $2 per acre, that it be permitted to be taken under half-breed Scrip, [illegible] is not as [illegible] applicable in purchase of [illegible].

H. H. Smith Esq.
Comm. Dom. Lands
Winnipeg

[illegible]

1242

1242

Cancelled land; but I think this is a case in which such might be allowed.

I would therefore recommend the Agent be instructed to notify him that under the circumstances, if his H.R. entry be cancelled, the Applicant therefor may place thereon another Scrip issued to him as a Half Breed Chief in the N.West Territories on the 15th. July 1870; or if you do not approve thereof, it be sold to him at $1.25 per acre

I have the honor to be
Sir,
Your obedient Servant
Wm Pearce
Supt.

N.W.T.A.L.C.

1219

Copy

Edmonton. Alberta Territory. Canada
6th April 1886

Wm Pearce Esq:
Supt of Mines and a Member of the Land Board
Edmonton, Alta.

Sir,

Re S½ Sec. 18 Tp. 53
R24 W of the 4th P.M.

This land was taken up in 1874 by one Smith who built thereon a log house 18 by 20 feet and who occupied the same continuously for three years.

Smith having sold his right to said land to one William Laugrell I purchased such right from the latter in the Spring of 1883 paying him therefor $150.00 in Cash.

At the time of my purchase from Laugrell there were on said land the following improvements namely: the said log house; a frame shanty 12 by 14 feet and shingled; 12 Acres broken and a cattle fencing.

On the 15th day of November 1883 I obtained a Homestead Entry for said land from Wm George R Simpson, Agent of the Edmonton and Saskatchewan Land Reg.

Since said entry I have cut, taken out and hauled to said land 1000 rails, being sufficient to fence with the whole of said quarter Section and have actually fenced in about half thereof with said rails.

Ever since I so purchased in 1883 I have kept a considerable amount of

528

1919

329

stock on the land, having last year and this year herded thereon 189 head of cattle.

There are no claims adverse to or other than mine in respect of such quarter section.

I now beg to make application through you for the issue to me of a Patent for the above land, as for an old Settlers claim. In defence of this, I respectfully ask that you, having inquired into all the circumstances, recommend that I be allowed to purchase from the Crown at the Government price, as it was in 1874, (when it was first taken up as before stated) or that I be given permission to have land Scrip located on it.

Kindly forward to me the Department's decision in this matter as soon as possible

I have the honor to be
Sir,
Your obedient Servant
A. M. McCauley.

1243

1220

Calgary 21 Sept. 1886

Sir,

I have the honor to enclose herewith file 52 1/2 of your office referring to a dispute between Baptiste Ames and Augustus Cowing concerning that portion of the N.½ sec. 10-24-1 W 5th lying South of the Bow River.

In accordance with your verbal instructions I issued a subpoena on Mr. Lindsay to produce the memorandum or agreement alluded to in his, Lindsay's evidence, taken before me on the 14th day of June 1886. The said subpoena was issued on the 16th August and on the morning of the 18th he. Lindsay called stating that, being absent from home he had not received the said subpoena till late in the evening preceding; and had not had time to look for it. and he asked to read over his evidence and also that of Major Dowling, which I read to him. And as I was leaving for Edmonton next day, I told him to make at once a search for the said memo. or agreement, and if found to leave the same with the Calgary Agent. If he could not find it, to make an affidavit within that time to that effect before the said Agent. He asked what would be the consequence if he refused to produce the said agreement. I read over the clause of the Dominion Lands Act bearing on that point; but said I did not suppose

Filed sent by Postal Card

H. R. Smith Esq.
Comm. Dom. Lands
Winnipeg

1243

230

1243

suppose that in his case the penalty would be enforced; but in considering the case the Land Board would infer that, because he did not produce it, and failed to make the affidavit asked for, the production thereof would be fatal to his contention on behalf of Anas' claim.

He replied that Carney had forfeited his right to the S.E. ¼ of the same Sec. through agreement to convey a portion to one Sparrow. He was told that if he would furnish proof of that or ask for subpoenas they would be furnished, and every facility given to prove his assertion. But that Carney having done this regarding the S.E. ¼ would not condone Anas' action regarding the N.E. ¼.

It was on my recommendation that the E ½ of said Sec. 10 lying South of the Elbow River, was divided between Anas and Carney. And at that date had I known what is disclosed in this file, I would have recommended that Carney obtain H.E. entry to the S.E. ¼ 10-24-1W5th and Anas take that portion of the N.E. ¼ lying South of the Elbow River, at its fair valuation, leaving to Lunney and his associates any redress against Anas which the law grants. Said valuation I should place at $5.00 per acre.

I would now recommend that action be the consideration of the Land Board

I have the honor to be
Sir
Your obedient servant
Wm Pearce Supt.
per A.G.C.D.

12121

1244

Calgary 21 Sep. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 14th inst R.Q.208 Ref 67963 being an application by Thos. O'Davis of Prince Albert to purchase the S½ of the S.E. ¼ 9. 48. 26 W 2nd. The applicant states that it is unoccupied and unimproved, the Agent that he is not aware of any claimant thereto, and the land is broken, and is rendered valuable solely by its position, being in the neighbourhood of Prince Albert.

The Act of last Session whereby 6 ⅔ millions of acres of the C. P. Ry 25,000,000 were reserved by the Government probably enables the Government to dispose of this land. By "Ord C" of I think 12th Dec. 1882, or some date about that time, these lands were reserved to be applied in satisfaction of their Grant. Acting on the supposition that by act of last Session the foregoing reservation was done away with, or rather the Government were at liberty to dispose of as much as the public interest demanded, certain odd sections, embraced within the area covered by said "Ord C", have been recommended to be sold, but that has been I think confined to actual settlers or for Steam purposes - this application does not appear to come within that category.

There

N. St. Smith Esq.
Comm. Dom. Land.
Winnipeg

1244

Calgary 21 Sept. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 11th inst. No. [illegible] having an application by Mr. [illegible] of Prince Albert to purchase the S.E. ¼ of Sec. [illegible] Tp. 48. 26 W 2nd. The applicant states that it is unoccupied and unimproved; the [illegible] that he is not aware of any Homestead claims and the land is broken and [illegible] rendered valuable solely by its position, being in the neighbourhood of Prince Albert.

The list of these lands whereby the 5 millions of acres of the C.P. Ry 25,000,000 acres reserved by the Government probably enable the Government to dispose of these lands.

By "Order" of Council 12th Dec. 1882, it seems that about that time, these lands were reserved to be disposed of in part of a [illegible] of these [illegible]. Acting on the supposition that by [illegible] of these lands the foregoing reservation was done away with, or rather the Government were not likely to dispose of so much as the public interest demanded. [illegible] until [illegible] the [illegible] by said Order in C. have been [illegible] to be sold, but that has been [illegible] to accept letters [illegible] for that purpose - the application does not appear to come within that category.

I have [illegible]

H. H. Smith Esq.
Comm. Dom. Lands
Winnipeg

1241

383

1244

There remains however several million acres of the C. P. Ry. land grant to be satisfied within the area embraced by the foregoing T. in C. And should it not be determined whether sales generally should be made therein, I can see no grounds to grant the request of Mr. Davis. If however sales generally are to be permitted there, the sale to Mr. Davis might be carried out.

I have the honor to be
Sir,
Your obedient Servant
Wm. Pearce
Supt.

M. de Sec.

1245

1222

Calgary 21 Sept. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 11th inst. M. 3792 m 7187 Y m. having reference to a dispute between Messrs. Porter, Clendenning, Stone and Harvey of the one part and the International Mining, Smelting and Manufacturing Co, of which Mr Pinsent is Agent, of the other part, in which you ask me what action I would recommend now to be taken.

In addition to what is recited in my report of 10th May last on this subject, I think Mr Pinsent's contention incorrect, that the International's claim being under water is not one of Dominion Lands within the meaning of the Mining regulations.

If it is the custom to grant the 1st Chance to acquire any foreshore right to the owner of land in the rear, then the International Mining & Co. should have that offer made to it. Failing to acquire the same within a reasonable time, then Porter et al. to be offered it subject, of course, to reasonable access being granted to said Co.

Pinsent's plea that by granting this to Porter et al would greatly depreciate his Co's property, on the ground of creating a private interest is one I think which cannot be entertained by the Department. To carry such

John R. Hall Esq.
Secretary Dept. of Interior
Ottawa

234

1545

1245

382



such a contention to its legitimate conclusion, than no other iron mining location should be granted anywhere in Manitoba or the North West except to his Corporation.

It however occurred to me that the point at issue, being the foreshore, was one of policy, which should be decided by Custom, and with which I am not familiar. The only other points on which I am expected to give an opinion are suggested in this

I have the honor to be
Sir,
Your obedient Servant
Wm Pearce
Supt.

for Ind. Affs.

1246

1223

Calgary 21 Sept. 1886

Sir,

I have the honor to acknowledge the receipt of yours of the 13th inst. B. 9106 Ref. 67364 being application by Col. Wyndham on behalf of his son Earnest Wyndham to H. the S½ 34-21-25 W4th 2nd prest.

It is within a Lease and if the request were granted it might greatly injure the same. Therefore until an investigation is made into the water reservations, which will now be done within the very near future, I would recommend that his request be not complied with.

I would suggest that he be advised of the reason why his request cannot be complied with at the present time.

And I would further suggest if it would not be advisable in all cases similar to the above - where application is made for entry on a Lease - to warn the Leaseholder if such entry would tend to render his lease valueless

I have the honor to be
Sir,
Your obedient Servant
Wm. Pearce
Supt.

N. N. Smith Esq.
Comm. Dom. Lands
Winnipeg

W. Pearce.

1248

336

12-24

1247

Dominion Lands Office
Calgary 15 Sept. 86

Sir

The Comr of Dom.n Lands has forwarded me a/ms of the 3d Sept. inst No 116 covering an application by Mr. John A Boyd of Trout Valley. BC for information about taking up mining claims and requesting me to furnish you the information desired

Early in 1884 Mining Regulations were promulgated by the Dominion Government which were applicable to all Dominion Lands. consequently to those within the Railway Belt in B. C. If however the minerals were not conveyed by the Provincial to the Dominion Government in that belt no mining regulations by the latter authority would be applicable. That point is now upon the Comrs. and will I trust soon be decided— If you will refer to the appendix to Department of Interior Report for 1883. you will see those Regulations. It is reported very shortly that new Regulations will be issued and I have forwarded your letter to the Head Office. requesting when issued a liberal supply will be sent you. also Maps of Shuswap Lake so soon as issued

I have the honor to be
Sir
Your Obedt Servant
Wm Pearce
Dom Land
Supt.

The Agent
Dominion Lands.
New Westminster
B.C.

1247

537

Dominion Land Office
Calgary Feb 15th 1886

Sir

I have the honor to acknowledge the receipt of your letter of the 13th inst. enclosing an application for Sec 4 Twp 8 Range 2 West of the 4th Meridian. Also your letter of the 12th inst. enclosing application for Sec 4 Twp 8 Range 3 West of the 4th Meridian. In reply I beg to state that the land applied for in the first application is not open for entry, but will be open for entry on the 1st day of March next. The land applied for in the second application is open for entry, but I would point out that the letter enclosing the application was not received by the Dominion Lands Agent at Calgary until the 15th inst. and the letter enclosing the fee was not received by the Agent until the 16th inst. Therefore the application for the fee was not received within the time limited by the Dominion Lands Regulations.

I am Sir
Your obedient servant
[illegible]
Dominion Lands Agent

Geo. [illegible]
Esq.
Calgary

1248

1225

Calgary 20th Sept 6

Sir

I have the honor to inclose with this. Copy of letters from Hon Lieutenant Agent. to Commissioner. Copy of letter from one John a Cowgill to said Agent. and my reply to Agent. and have to request as soon as Published a supply of Dom. Mining Regulations be sent said Agent and maps of Kamloops Lake when issued

I have the honor to be
Sir
Your Obedient Servant
W. Parker
Supt. Mtd Pol.

Wm K Nall Esq
Secretary
Ottawa

1248

238

Montpellier le 20 Juin 1878

Mon cher ami,

Je suis bien heureux de vous savoir arrivé sain et sauf à votre poste. Je vous remercie de votre bonne lettre et de vos bons souhaits. Je suis bien heureux de pouvoir vous dire que ma santé est excellente. Je travaille beaucoup et je crois que mes efforts ne seront pas perdus. Je vous remercie de votre bonne lettre et de vos bons souhaits.

Votre dévoué

Ch. Flahault

Copy
1248

1248

1102 26

339

1218

Copy

1227

1248

Ottawa 15th Sept 1886

Sir

The Com[r] of Dominion Lands has awarded me some of the 8th inst No 116 covering an application by Mr John A Bryan of Fort Calgary for information about taking up mining claims etc., requesting me to furnish you the information desired.

Early in 1884 mining regulations were promulgated by the Dominion Government which were applicable to all Dominion Lands, consequently to those within the Railway Belt in B.C.

Afterwards the minerals were not conveyed by the Provincial to the Dominion Government in that belt. No mining regulations by the latter authority would be applicable, That point is now open to the Courts, and will I trust soon be decided

If you will refer to the appendix to Department of the Interior Report for 1885 you will see these regulations. It is expected my shortly that new regulations will be issued. and I have forwarded a letter to head office requesting when issued

Several Supply will be sent you. also copies of the new regs when issued

Yours &c

Dep Com[r]

340

1248 Copy 1228

No 116

Upper Canada Province of
Commissioners Land Office
8th September 1836

Sir

I have the honor to enclose another Copy of my letter dated 26th ult. upon the subject of Crown Lands in Canada for your information and with a view to the Minutes thereon to be laid before the Lords Commissioners of Her Majesty Treasury

941

1248

1229

Copy

Kamloops

28 August 1886

Dominion Lands Agent
Kamloops

Sir,

Will you kindly furnish me with the Mining Laws relating to a discovery of "Gypsum" on C.P.R. but in this District.

I would like to know if the discoverer rights and quantity of land is and what would secure. Prices of improvements if necessary &c &c

A Copy of mining laws relating to the Railway Belt in this Province and map of the Shuswap Lake Country would be a great favour.

I have the honor to be
&c &c
John A. Forgett C.E.
Provincial Surveyor

942

1248

1259

1249

1230

Calgary 21 Sept. 1886

Sir,

I have the honor to acknowledge the receipt of your letter dated the 13th inst. Ref. 6780/6 B 9149. enclosing a copy of a letter from the Dominion Lands Agent at New Westminster and of its enclosure, and requesting me to furnish the Agent with the necessary instructions in reference to mining regulations &c.

I beg to state that the Agent at New Westminster has been advised as requested

I have the honor to be
Sir
Your obedient servant
Wm Pearce
Supt.
per Mac D.

H. H. Smith Esq.
Comm. Dom. Lands
Winnipeg

543

1230

1243

Wedgwood 21 Mar. 1840

Mr.

I have the honour to acknowledge the receipt of your letter dated the 19th inst. Mr. Wedgwood begs to enclose a copy of a letter from Mr Hennen Jones dated at Rio de Janeiro and to request that you will take such measures as may be necessary to procure the payment of the Bill mentioned in the said letter.

I beg to refer you to Mr Hennen Jones for any further information you may require.

I have the honour to be
Sir
Your obedient Servant
Wm Evans
Secy.

To Messrs.

W. H. Smith Esq. M.P.
Comm.rs Navy Pay
Admiralty

1231

1250

Calgary 20th Sept 1886

Sir

In settling the difficulty between Francis White and the Morley settlers the file shows that those settlers agreed to pay a certain amount by the 15th of Sept for benefit of White. It was their intention in arranging this that the matter should be arranged between the parties interested without reference to this office; but they have sent the money through you. You will please receive the money & give receipts as you have already done, and hand over the same to Mr White as just as paid in, until he receives in all $1129.50 after which retain the balance till I return to Calgary.

You will please write & express him to Morley what you have received, and do with it as he requests.

Would you also kindly write Rev Davis & McDougall, tell him that the resolution of the settlers was forwarded by the Rev. John McDougall, and the receipt of same was acknowledged personally and if the settlers were not entitled that they would be expected to have that amount by 15th Sept it was not the fault of the Govt and that Mr White states he is suffering previous loss by not obtaining it & that probably he can help Mr White through till amount is paid in and trust he will do so.

Also please write Mr Graham to have effect.

I have the honor to be
Sir
your Obedient Servant
Wm Pearce
Supt

A Rowan Esq
Agent Dom Lands
Calgary

1250

1231

944

1232

1251

22nd Oct 6

... the 1st instant, Rej 8789 B 9372, enclosing an application by one Bruce McLeod to purchase and pre-empt the N½ 23. 44. 28 W 2nd M6.

The evidence in his case you will observe was given before the Bruce Clerk of Petty Sessions April 1883, and ... my visit to Bruce about in the following January to take evidence and report on such claims finding in many cases that the evidence then given was rather misleading.

I sent notices to the various claimants to appear before me and furnish evidence in support

H. N. Smith Esq
Com'r Dom'n Lands
Winnipeg

1537

1251

545

of their respective claims -
within two weeks, and as will be
seen by my Prince Albert letter
book, page 119, such a notice
was sent this claimant but
he failed to represent himself.

Before making a
recommendation in this case
I would request the Agent be
instructed to obtain this
evidence on the usual blank
forms, and if he is satisfied that
prior to 1st June 1880 he commenced
residence on this section in
question and since that date
has complied with the homestead
conditions of the Dominion Lands
Act, then to grant him Entry.

As to whether he may
or may not be permitted to
apply his Military Bounty Warrant
he will be presumed have to come
within the regulations governing
the same.

I have the honor to be
Sir
Your obedient Servant
Wm Pearce
Superintendent

Dear Sir,

Your obedient servant

[illegible]

1233

1252

22nd Oct 6.

Mr Dept of Interior

Sir

I have the honor to return herewith Dept's 977, 12,205, being an application by Xavier Letender to homestead the N½ of Lot 48 and S½ of Lot 47 St Laurent.

On April 1884, Xavier Letender, the pony of the above applicant, asked to be permitted to homestead 160 acres and purchase at $1.00 per acre the balance of the following lands viz Lots 45, 46, 47 and N½ of Lot 48. This was accorded him in February 1885, and from the letter of the Agent received lately he states Xavier Letender has made homestead entry.

I always understood this claim belonged to said Xavier Letender, and it was never intimated that

W. W. Smith Esq
Comr of Dominion Lands
Winnipeg

1252

547

P33

[illegible]

that his mother had any claims
to same.

As will be noticed from
Agents letter the two pingas
lay claims to land in favor of
his mother but he does so in-
tending probably to homestead
160 acres of the balance himself.
It is not I think the intentions
of the Dominion Lands Act that
such claims be granted, you
will notice her age and she no
doubt as well as her husband
participated in the half Breed
grant, and I would recommend
that she and also her son-in-law
be notified that the original
decisions must be adhered to,
which is sufficiently liberal.

All of which is respect-
fully submitted.

I have the honor to be,
Your obedient Servant
Sir,

Wm Pearce
Superintendent

1252

948

Mat his mother has my glasses
by mistake.

Dearest Mother, I have
got better by your indigna-
tion relative to Lucy Thorpe's
non-return, but to see you
thoroughly perfect in humour
is more to my life's interest.
It is not that I think the writing
of the Commissioner since last Mat
should hinder to permitter you
write, rather to exhort you
almost against to be studious
punctual in the first three
months, to answer Summer remarks
that I am sure to expect
to receive that the regiment
becomes more to advance to.
which is exceedingly close.

Yes, Mr. Nicholson replied.
Yours sincerely,

Mary Ann Evans
Miss Marian Evans

Augustus Hare

1253

My dear Smith,

I enclose with this a copy of a let-
ter addressed to Mr. [illegible] which I trust
explains itself.

I am aware that officials of any Depart-
ment are apt to recommend any person for
position in their particular Department, but I know
of no reason why an official of one Department should
not recommend to an official of another Department
any applicant for position in that Department. Should,
however, it be expected that I should not do so
in the case of Mr. Dunbridge officially
you might, however, bear in mind that
I am not clear advisable.

Yours very truly

Wm Pierce

1234

1254

Sir Dec 21st 6

I have been looking for your letter for the last ten minutes and am unable to find it so cannot state on what date it was written, but the one to which I allude is the one requesting that I write the Deputy Minister of Justice recommending you for the appointment as Clerk for Edmonton District, if my memory serves me right that was your request, I read your letter very hurriedly on re[illegible]t and laid it away intending to answer so soon as I reached

A. Taylor Esqr.
Telegraph Agent
Edmonton
Alberta

Winnipeg

1254

1234

550

Dec

Lille 21 d 9

Please hear hearing for
your letter for the last two
mentioned cases was unable to
find it so cannot state on
what date it was written,
but the are to which a claim
is the are requesting that I
write the Deputy Secretary of
Justice recommending you
for the appointment as clerk
of Laborers District, it not
necessary since no right that
was your request, I read your
letter very hurriedly or so at
such last it was writing to
answer as soon as I received

Yours truly
Stenographer for
Deputy Commissioner

1254

Winnipeg, it was only necessary
to me on Friday last, having
delivered me Yours Devil to
Devil Reserve the County.
I have good Reasons
in complying with your request,
I presume that there is no
reason why an Officio of the
Department of the Interior
should not recommend or
endorse the construction of an
unfinished Jail a Penitentiary
another Department, we are
expected not to do so for Next
Spring Penitentiary as we are
Department.

Yours Very Truly

IGG



Winnipeg, it was only received by me on Friday last, having followed me from point to point around the country.

I have great pleasure in complying with your request, I presume that there is no reason why an Official of the Department of the Interior should not recommend or endorse the candidature of an individual for a position in another Department, we are expected not to do so for those aspiring positions in our own Department.

Yours very Truly

1235

1255

Oct 21st 6

Sir.

Wm Alexander Taylor of Edmonton writes me that he is an applicant for the position of Clerk of the Court for that District, and has requested that if I could, I would write you endorsing his application. As you are probably aware, at least the Officials of the Department of the Interior can tell you, I am very well acquainted with the Edmonton District and know nearly all the people in that settlement, and I have very great pleasure in complying with Mr Taylor's request. Should he be

L. W. Burbidge Esq.
Deputy of the Minister
of Justice
Ottawa

1255

532

Dear Sir,

Yours of 1st inst

We Delaware Indians of Oklahoma write you that in our application for the position of Chief of the Creek for Hiatt Hiatt if I could, I would write you endeavoring his application. In our Brotherly views, at least the Officials of the Department of the Interior are till pro, have very well acquainted with the Indiarubber Hiatt over Never nearly all the people in that settlement, and I have very great pleasure in complying with the Indians request. Thereof we

Yours

Chief of the Delawares

Hon. Secretary of the Interior

Washington D.C.

1955

be sufficient enough to secure
the appointment. I think that
your Department will never regret
it, as that I feel confident on that
point. Mr. Hayes on telegraph Dept
Hon, has always been obliging
and courteous to the Public, and
I feel certain that his appointment
to the Position he desires will
prove satisfactory, not only to
your Department, but also to the
Public, as he has the necessary
intelligence and obliging manner
to fill that Position well.

I have the honor to be

Sir

Your ob't Servant

Superintendent

333



be fortunate enough to receive the appointment I think that your Department will never regret it, in fact I feel confident on that point. Mr. Taylor as Telegraph Agent there, has always proved obliging and courteous to the public, and I feel certain that his appointment to the position he desires will prove satisfactory, not only to your Department, but also to the public, as he has the courtesy, intelligence and integrity necessary to fill that position well.

I have the honor to be
Sir
Your Ob. Servant

Superintendent

1256

1236

Copied

Hyram Smith

The matter contained in my
letter which I in connection with the
Bank Stock should I think have been
made to pay considerable more than I
looked for.

In conversation with many of
many who were there canvassing at Bank
& visiting the Springs did I learned
that many had selected
their locations there. I could not
understand how these claims could be,
taken and on my visit to Bank
the course of a conversation with
Mr Stewart I ascertained that such
claims were that anyone who took
possession of a lot and built

H. B. Smith Esqr. dwellings

Commissioner Mormon Lands

554

1956

1256

buildings on it would in his opinion, have the first right to that lot at whatever upset price the Government might fix. It occured to me that if such a course were permitted matters might become very complicated and the Government would find lands claimed by a class, whom it might be desirable should not have them; I think, in any scheme in connection with the Banff Springs. There should be lands available for all persons rich and poor, but that certain localities should be granted under stringent conditions as regards improvements, and it might be found that parties would claim lands by virtue of erection of buildings or other so called improvements, who were financially unable to comply with the Government requirements and the whole scheme might be greatly interfered with. I therefore suggested to Mr Stewart that I thought it would be well in the public interest that all parties should be notified that the

erection

1256

Prueba

erection of buildings gave no claim whatever to the lands, and also that the mere fact of visiting the place, and being thereby acquainted, and making selections should not give anyone the right of choice. In other words that no person should necessarily be placed at an advantage in procuring lots merely because he happened to be in a position to visit the locality prior to date of lots being placed on the market.

The citizens of Montreal has contributed as much towards making Banff a place of public resort as the citizens of Calgary. I therefore take it, if the citizens of Calgary by the mere accident of being situated near Banff is able to obtain the choice of lots the citizens of Montreal would have strong grounds for complaint. So this as in every other locality although there may not be a great deal of advantage to be reaped by having

choice

1256

1256

choice of the lots, many will think that they have been injured if such choice be granted except by public competition, I therefore think it would be well if the Sheriff were instructed to cause notices to be posted to the effect that the mere fact of selecting lots or erecting buildings would give the parties no right to the same unless such buildings as have been already erected on the North side of the River to meet the requirements of the Law; that is in what might be called the business portion of Banff, but the portion laid out as town lots. I think that therein anyone might be permitted to acquire the preference to these lots by reason of the erection of buildings thereon to the value say of not less than $100. that is buildings which the trade of the place now requires, such as hotels, butcher shops, bakery stores livery stables etc.

After

557

1256

choice of the lots, many will think
that they have been injured if
such choice be granted except
by public competition, & therefore
think it would be well if the Governor
were instructed to cause notices to
be posted to the effect that the
mere fact of selecting lots or erecting
buildings would give the parties
no right to the same unless such
buildings as have been already
erected on the flats side of the river
to meet the requirements of the Town
that is in what might be called
the business portion of Banff, the
portion laid out in town lots. I
think that these anyone might
be permitted to acquire the pre-
ference to those lots by reason of
the erection of buildings thereon to
the value any of not less than
$100. that is buildings which the
trade of the place now requires, such
as hotels, butcher shops, bakery stores
livery stables etc.

[illegible]

1256

After Mr Stewart has pr
pared his plans and the Govern
ment has decided on the condit
under which rights to land the
may be acquired I think it wo
be well if the public were noti
that for thirty days from date
such notice tenders would be
received for the privilege of the
right of selection subject to the
conditions imposed by the Governm
such tender to be a cash bonus
such right of selection. After the
tenders are all in and the lands
allotted to the successful tenders
the remainder there to be open to
the first applicant subject to
Government conditions.

Unless some such steps
are taken I fear that there will
be considerable dissatisfaction wh
I think can be avoided and in the
public interest should be

Though this communicatio
is marked private you may

make

1256

358

1256

make whatever use of it you deem advisable.

Yours very sincerely

Wm Learned

1256

Please return case of Mr
Geo. Henry Whistler.

Yours very sincerely

1237

1257

Oct 21st 06

Sir

I have the honor to acknowledge the receipt of yours of the 2nd inst. having reference to acquiring a certain portion of the S.W¼ 14. 24. 1 W 5th allotted to the Hudsons Bay Company and in which you state that that corporation has not complied with the conditions.

I expect to be back in Calgary in about three weeks, and will be most happy to meet and discuss this matter with you, in the meantime I shall send your letter to Ottawa for such action thereon as may be deemed advisable.

I have the honor &c.

Sir

Your Ob. Servant

W. Pearce

Superintendent

W. J. Compton Esq.

Elbow River Ferry

Calgary. Post

Alberta

560

1257

1737

Wien, am 2. Juli 1737.

Ich bitte Euer Liebden, die
gegenwärtige Mir recepisse Ihrem Sol-
daten, so recognoscirt a restituiren Be-
lieben. Ich Mir mit Ihro Liebden
allerseits Gutes. Ihro Liebden
werde ich willigst zu dienen Mich
Euer Liebden gehorsamsten Knecht
Mich Recommandiren.

Ich habe auch die Ehre Ihro Liebden
durch gegenwärtige Meine Empfehlung
zu machen, Ihro Liebden Meine
Hochachtung zu bezeugen, und
mich Dero zu Mir tragenden
Affection bestens zu Recommandiren.

Euer Liebden

Meine Mir Unbekannte Frau.

Gehorsamster Diener

Maria Theresia

Private 1258

1238

Oct 21st 6

Dear Mr Burgess,

I have this day written officially in connection with that portion of the S. E. 1/4 14. 24. 1 W 5th M. allotted to the Hudson Bay Company. You may remember my addressing to you a private communication concerning this land upwards of a year ago, in which I suggested certain action to be taken thereon with a view of reimbursing Mr Hardisty in connection with the Humberstone claim at Edmonton, which claim has now been settled, and Mr Hardisty is not I think anxious to acquire this particular piece of property.

Yours

A. M. Burgess Esq.
Deputy of the Minister
of the Interior
Ottawa

Personal

1258

1738

561

Mexico, May 21st 1

Mr. Secretary of State,

I have the honor to transmit herewith for your information and files, a copy of a letter addressed to Mr. Thomas Thompson, Esq. of this city, by Mr. Manuel Escandon, Minister of Finance, in relation to the Mexican Railroad, and the proposed modification of the contract with the Company.

I am, Sir, Your obedient servant,

Thos. Thompson

To the Secretary of State,
Washington.

However, I would give him the first opportunity of doing so should he possibly desire it, I think the sooner this portion of land is finally disposed of the easier will be the solution, there is a danger that squatters may take possession thereof, in fact I am not certain that they have not already done so. If the Hudson Bay Company would obtain it as a gift, I have no doubt they would take it, but as I understand the matter the Imp. Department did not want to pay such anything for this piece of property as they think they will never require it for trading purposes, and the Land Department have not the funds available to purchase, and as the town is going West so rapidly they consider it of apparently little value as town property.

Yours Very Truly

Wm Pearce

However, I cannot quite see the
first opportunity of doing so should
the property desire it, & I think the
sooner this portion of land is finally
disposed of the more will be the
satisfaction; there is a danger that
squatters may take possession there-
of. I just heard ... certain that
they have been recently done so. If
the Hudsons Bay Company would
obtain it as a gift, I have no doubt
they would take it but as I understand
the matter the Ind. Department will
not want to pay out anything for
this piece of property as they think
they will never require it for Indian
purposes and the Indian Department
have not the funds available to purchase,
and as the town is going South so
rapidly they consider it of apparently
little value as town property.

Yours very truly

[illegible]

1239

1259

Oct 21st 6

Sir

I have the honor to enclose herewith copy of a letter of the 2nd inst from W. J. Compton, having reference to that portion of the S. W. ¼ Sec. 240 I to 5 W. allotted to the Hudson Bay Company under certain conditions, also copy of my reply to Mr Compton. You will notice he states that the said Corporation has not complied with the conditions in reference to obtaining this portion of lands. Would it not be well that they be given say sixty days to comply therewith? If they failed then to do so let the property be offered for

The Secretary
Dept of the Interior
Ottawa

563

1939

1259

Dear Sir

I have the honour to enclose herewith copy of a letter of the 2nd inst. from Mr J. Bernhardson, inviting reference to their Petition of Mr. Mueller from Bernhardsons conditions, also copy of my reply to Mr Bernhardson. Upon receipt further letter stating that Bernhardsons have complied with the conditions and reference to Mr Bernhardsons Petition. Should it then be well that Mr Sieveu may strictly adhere to conditions? I May Pardon there to do as Mr Bernhardt be allowed

Yours

The Secretary

Dept of the Interior

Ottawa

1259

for sale to others subject to payment for the benefit of said corporation the cash value of certain old buildings thereon.

I am under the impression that the buildings on said portion are owned by Mr Hardisty, Chief Factor of said Company, and he might be given the first opportunity of acquiring the land on whatever terms it would be deemed advisable to offer the same.

I have the honor to be,

Sir

Your Ob. servant

W. Deane

Superintendent

1259

1259

1240

Elbow River Ferry
Calgary East
Oct 2nd/86

copy

Wm Pearce Esqr.
Commissioner of Lands
Dominion of Canada

Dear Sir

The Hudson Bay Company having been offered fifteen acres on the East side of the Elbow River for clearing a trading post in the early days, I am desirous of trading with them for the same and obtaining the title from the Dominion Government.

Will you kindly inform me if I can take up land, and have it transferred to me and also the terms and by what instalments I can pay the same.

Richard Hardisty Esq. Chief Factor & the H. B. Co. is my authority for writing you as being located at Edmonton he has not the opportunity of making it available to the Company.

Also if parties have jumped any portion and erected buildings and fences can the claim such site

Also if the waste land along the River banks and liable to flood and be washed away below high water mark would be thrown in

I

1259

305

Albert Einstein
Berlin
Haberlandstr. 5

Herrn Prof. Dr. Planck
Wohlgeboren
Grunewald

Lieber Herr Planck!

Ich bin Ihnen sehr dankbar
für Ihre freundliche Einladung
zum Vortrag über Relativität
und Gravitation. Ich werde
gerne kommen, wenn es mir
irgendwie möglich ist.

Ich bin Ihnen auch sehr
dankbar für Ihre Bemühungen
um Herrn Nernst. Ich glaube
nicht, daß es Herrn Nernst
gelingen wird, die Stelle
eines Assistenten zu finden,
der ihm die Arbeit
abnimmt. Ich habe
Herrn Nernst
vorgeschlagen, daß
er sich

1259

I shall be pleased to meet
you and hear your remarks if
you would favor me with a
line when in Calgary.

I am
Yours faithfully
(Sgd) W. T. Compston.

1259

566

1259

1241

Copy

Oct 21st 6

Sir.

I have the honor to acknowledge the receipt of yours of the 2nd inst having reference to acquiring a certain portion of the S.W.¼ 14. 24. 1 W 5th allotted to the Hudson Bay Company, and in which you state that that Corporation has not complied with the conditions.

I expect to be back in Calgary in about three weeks, and will be most happy to meet and discuss this matter with you, in the meantime I shall send your letter to Ottawa for such action thereon as may be

W. J. Compton Esq.
Elbow River Ferry
Calgary East
Alberta

1259

507

Pn 41

Dear Sir

I have the honour to acknowledge the receipt of your letter of the 2nd inst. referring to the requesting a certificate of birth of Mr. [illegible] No. 240 of 1876 entered in the Murders Book Derbyshire, and to enclose you the certificate. I enclose to be used in case you should require another copy.

I enquired to be used in Derbyshire as regard Mrs. Mrs. will be made to make a copy of the Register of Births and Deaths for the year

Yours faithfully
[illegible]
Registrar

1259

be deemed advisable).

I have &c
Thos. Dobbs Stewart
(Sgd) Wm Pearce
Supt.

1259

1242

1260

28th Octr 6.

Sir,

I received yours of the 4th a day or two since regarding a proposition of certain Minneapolis Capitalists who desire to prospect for Petroleum in the North West Territories.

Persons preferring petroleum claims repeatedly urge that they are not, as original discoverers, treated with sufficient liberality. Some say they should get two acres, others go further and say that area is not sufficient.

I have given the matter a good deal of attention and

Hon Thomas White

the

Minister of Interior

Ottawa

1560

1572

309

1260

the conclusions I have arrived at is, that 40 acres is not a sufficient area to be allowed the original locator to justify the trouble and expence of the necessary tests.

It is true that under the Regulations we pay for obtaining assignments secure permit to test a lot but in each he must make improvements which is in no way prohibitory

Experience in petroleum working both in Pennsylvania and in Canada, has led Geologists to the conclusion that the oil lies in basins, and after one is exhausted it is necessary to sink another well and this process must of course in time attract all the available oil, the flow from these wells is not of any long duration, what formerly were some of the best districts in Pennsylvania are now barren.

L

1260

570

1260

3

I gather this information from the attached report on Mines and Mining issued for 4 years ago from the Department of the Interior at Washington.

By amending our regulations, omitting therefrom petroleum, and requiring mining applications relating thereto, to be made distinct treating each application in its merits, might possibly for the present be considered preferable to adopting permanent regulations.

This would perhaps test

protect

1860



Have the pleasure to request
you to forward me
by return of Mail your answer
to my application
of the 4th inst. for the
Department of Columbus to
ship me.

By according you will oblige
Yours respectfully
[illegible]

[illegible] pleasure, awaiting
[illegible] favorable
answering application, relative
thereto, have inserted
herewith such application in
the hope that if possible it
may meet with your approval.
I have to request your
[illegible]

protect the prospector and the public interest but if you decide that it is advisable to adopt specific regulations at once they might be framed on the basis of those relating to gas.

In Nova Scotia the petroleum leases are free for a long time of licensing explorers and I infer that it is fairly satisfactory. If Lennig remains so long on the statute of that Province we might adopt something of the kind for petroleum, that is to pay, allow the prospector a certain period of time within which to prospect over a definite area and finally, upon his locating the Mineral, grant him, pay. two acres. Subsequent applicants for licences over the same area to be granted pay. two acres each.

"A" is granted the right

to

1260

572

1260

to prospect for petroleum
over pay for & Townships required
to commence operations within
2 or 3 months and to continue
to actively prosecute his search
for say one year, subject to renewal
or extension of time if he can
shew by entries that such
extension is desirable.

Where placer to be required
to make proof of his discovery
within the year or extended
period, after the lapse of which
any other licence, placer &
claim, not be recorded, ought to
allowed to rank as original -
discoverer.

"B"

573

1860

"B"

1260

'B' also applies for a
licence, whilst 'A' still has
force, and over the same
territory. If refused absolutely
dissatisfaction would result
B. might also be allowed to
prospect within the territory
under conditions similar to
'A' but on discovery whether by
'A' or 'B', 'A' to have as original
discoverer priority to lease
up to date of discovery complies
with conditions of his licence
and to have a larger grant than
'B' in the proportion above
suggested. The same principle
might govern the treatment
of any number of licences sub
sequent to 'A' and 'B' so long
as the area under licence is
sufficient finally to allow of
an allotment to each licence
according to his rank, that is
to say, one or basis pursuant to
the one I have proposed, pay

b.t.o

1860

1260

two acres to 'A' and two acres to each of the others.

Some such scheme as this would, I think, give ample protection to the original discoverer and all others, and at the same time prevent a monopoly. 'B' and 'D' from the mere fact of 'A' having commenced prospecting would the more readily procure the funds or credit necessary to their enterprise and in getting one quarter of the area would be absolutely treated as 'A' all things considered.

Some arrangement of this sort might be adopted with

sufficient

1860

575

1260

sufficient elasticity to admit
of each case being treated as
the circumstances might appear
to warrant, general regulations
of a permanent nature to be
enforced hereafter, the danger
to be avoided in general re-
gulations seems to me to be
that in making them sufficiently
liberal to satisfy prospectors
it may be impossible to prevent
monopoly

Although I have
marked this letter private
I have no objection to it
being made official.

I have the honor to be,
Sir,
Your obedient Servant,
Wm Pearce
Superintendent

1260

570

C.

1243

Ref. 462. 1261

Oct 22nd 6

Sir

I have the honor to acknowledge the receipt of your letter of the 13th inst. enclosing a letter from one Ludger Gareau and return it herewith with a translation of said letter. You will please enclose to him a copy of the Dominion Lands Act and state that if he comes within the provision thereof there will be no difficulty with reference to his claim, but from the evidence he has furnished it is impossible to give him the information he desires, that when the surveys are extended in that vicinity and it is

The Agent
Dominion Lands
Lethbridge

Ref. No. 1261

Dear Sir

I have the honor to acknowledge the receipt of your letter of the 18th inst. enclosing a letter from Burdge Iverson and referring to transmitting until a formal letter of credit. Upon until I have another to turn a copy of the Pennsylvania Journal for April 24th 1765. Until it be proven until we the Pennsylvania Journal there until be no difficulty until refurnished this clause, such paper the business be then transacted it is impossible to part with the original, that another may be substituted in which case the

We Respectfully

Pennsylvania Journal

Publishing

is known on what land his improvements are situated evidence will be taken and he will be treated as liberally as the regulations will warrant, from the facts elicited in said evidence. You will please inform him that it is not the policy of the Department to answer general questions as such are very frequently misleading and do very much more injury than benefit to the parties applying for the same. In each case evidence is taken and recommendations made in accordance with the facts elicited by said evidence.

I have the honor to be
Sir
Your Ob. servant
W. Deane
Superintendent

1244

1262

28th Octr 6

Sir,

I beg to acknowledge the receipt of your letter of 25th ultimo 127862 and 8970, enclosing certain papers relating to the claim of William Gant to Lot No 22 1st Albert.

The papers referred to are returned to you herewith.

Although there is no positive evidence to identify the lands purchased by Gant from Ronalie Cardinal, Baptiste Lafromant, Roger Bérard and D. E. Noyes as being part Lot 22, I was satisfied from enquiry made when at Edmonton two years ago.

A. McG. Burgess Esq
Deputy of the Minister
of the Interior
Ottawa

1262

579

1262

ago that the said lands did comprise lot 32 and that the parties mentioned known the number of the lot when their sworn affidavits were made in September and October 1884 there cannot now be no doubt on that point. By [illegible] in the said affidavits, you will observe that the lot N is left blank

The addition to lot 32 [illegible] claim comprises part of fractions of S.W. & Sec 15. and the rear of the River lot for access of which I recommended, in July 1885, that letters patent should issue, as his favor under sub Sec. 3, Sec 81, 46 Vic, Cap 17.

If you think it advisable before issuing patent to get documentary evidence to identify the claims purchased by Just with the lands mentioned in preceding paragraph, I would suggest that the Agent at

Edmonton

1262

280

1262

Edmonton to be asked to
obtain it and that the
statements under oath so
obtained shall shew that the
land mentioned in the several
affidavits herewith returned to
you are identical with what
is now known as Lot 32 St Albert.

I have the honor to be,

Sir,

Your obedient Servant,

W. Pearce

Superintendent

1262

581

Sincerely yours,

Dr. Robert Stuart,
Superintendent.

1263

1245

Ref. 70287
C. 20553

Oct 25th 6

Sir,

I have the honor to inform you that Mr George Duck in a letter addressed to me, dated the 7th Inst. has drawn my attention to an oversight in the decision of the Land Board in regard to the claim of Thomas McKay to Lot 1 of the Special Survey of the Settlement of Prince Albert.

In the Schedule of the Prince Albert claims - showing the decisions of the Land Board - forwarded to Mr Duck - the then Agent of Dominion Lands, on the 21st of April 1884 - it would appear that the claim of Thomas McKay was, by a clerical error, bracketed with the claim of John Billings to Lot 102 Sp. 47 Ag 1 W 3rd P. M. and apparently the decision given in Mr Billings' to Lot 1 East of the 3rd P. M.

The Agent Dom. Lands.

Prince Albert.

N. W. T.

582

12445

1263

Ack: 70257
C: 20252

Oct 25th 6

Sir,

I have the honor to inform you that Mr George Duck in a letter addressed to me, dated the 9th inst. has drawn my attention to an oversight in the decision of the Land Board in regard to the claim of Norman McKay to Lot 1 of the Special Survey of the Settlement of Prince Albert -

In the schedule of the Prince Albert claims - showing the decisions of the Land Board - forwarded to Mr Duck - the then Agent of Dominion Lands, on the 12th of April 1884 - it would appear that the claim of Norman McKay, to Lot 1 East of the 3rd P. M. by a clerical error is credited with the claim of John Billings to Lot 102 B. 47 Ry 1 W 3rd P.M. and apparently the decision given in Mr Billings'

The Agent Dom: Lands
Prince Albert
N.W.T.

1263

Billings' case as applied also to the claim of Mr McKay.

The following instructions in regard to these two cases are now sent you, for your guidance, in carrying out the original intentions of the Land Board as decided by them in April 1884.—

"John Billings - Lot 102 - Sp. 47 - by 1 W 3rd (excepting from 40 chains) —
" order of the Land Board — Improvements fair —
" no residence - price $2.00 per acre - "
"Thomas McKay - Lot 1 E (Special Survey)
" order of the Land Board 160 acres to be granted free
" and recess to be paid for at $2.00 per acre "

The prices mentioned in the above orders of the Land Board have been reduced by the authority of the Minister of the Interior, to $1.00 per acre — and when a free gift of 160 acres is granted a fee of $10.00 must be collected.

I have the honor to be

Sir,

Your obedient Servant

W. Pearce

Superintendent —

1263

583

1246.

Private 1264

25th Oct- 6

Dear Mr Burgess

I send by this mail officially copies of all letters &c in connection with the dispute between Francis White and the Moosley settlers, and would be greatly obliged if you would peruse my letter addressed to the Rev. John McDougall in July last, setting forth the conditions under which the settlement was to be arrived at: this apply enclosing the resolutions of the settlers, which practically adopted my suggestions, the only protest being raised by Mr Cain who, however, can be made to comply before he obtains title to his claim. You will see by my letter of the 16th inst. addressed to

A. M. Burgess Esq.

Deputy of the Minister

of the Interior

Ottawa

1564

284

1264

& Land & Mr Bryall that individual
now claims that he should be relieved
of this back rental of 5s pays in full
for his land at least- I understand
that that is his intention, I have not-
however seen him, I think you will
endorse my views, but- I should like to
have an expression of opinion from you
in this matter.

Yours very Truly
Wm Pearce

1264

585

1265

1247

23rd Oct 6

Sir

I have the honor to enclose herewith copies of all letters, telegrams &c, having connection with the dispute between Fraser White and the Dawley Letters on his lease matter, embraced in Head Office File 43752, which letters & copies thereof have not already been forwarded to Head Office.

You will notice that the matter is in a fair way of solution, the only point raised now being by Mr Ogilvie, who wishes to pay up in full for his claim at once, thereby to save paying the fresh rate on any answer to them, dated the 16th inst; you will see the views I entertain

The Secretary
Dept of Interior
Ottawa

1565

1571

580

1265

Should, however, you consider this communication a reasonable one please advise me without delay, as I expect to meet him in the course of a few weeks.

The last rental the said the British American Ranche Company for the portion of their lease surrendered in favor of Mr White being the East ½ of Township 20 and the Southerly tier of Sections 4, E½ of 26 Range 5 (the conditions under which said transfer to Mr White was made, & made in detail in mine of the 5th July last, a copy of which accompanies this) should I presume, be paid by the Department directly to that Corporation. Mr White has secured nearly all that he so entitled to, and when next I visit Calgary, I hope to have time & also visit Morley and finally avoid any further delay in this matter, and grant the company entire possession of all lands to which they are entitled from the above date,

I am

Your obedient Servant

Inspector

1265

587

Copy

1265

1248

588

Calgary 16th Oct 1886

My dear Sir

Mr Rowe informs me you were wishing to see me in reference to our land matters at Morley, and have since you were disappointed in not meeting me here. Unfortunately I have to start at once for Winnipeg and will likely not be back till the 10th of next month. In the meantime it would probably be as well to allow your matter to lie in abeyance.

Mr Rowe informs me he understood you desired to pay up in full for your land and thereby save paying rental. The objection I see to that is there is no way in which to be adopted to pay into the hands the amount he requires and which was fixed by the Morley settlers as to the trouble. You may say "take my share out of the amount I pay in". That amount is by law required to be paid into a certain fund, and none of it could be utilized in that way. Indeed not, I think assure you I would like to meet your wishes so far as those portions of your claim which lie within Sec 26, R. 6 W 5th M. I set forth no alternative but to carry out the original arrangement. Of course if you pay up the amount rental will cease. I have the honor to be

Sir

Your obedient Servant

Jed Wm Reeves

Supt

David McDougall Esqr
Millwood P.O.
Alberta

1265

288

Copy 4.

1265

1249

Guilford Sept. 30 80

Wm Penn Esq

Dr

Mr D. A. Gregg sent me down your cheque yesterday with request to payment of money on claim.

I sent Rev. John A. Gregg a draft on Bank of Toronto to bring up the note with him when returning, he expected him to get it about noon when he arrive I will have no time in remitting the amt:

Yours Truly
Jas Wm Graham

1265

389

Copy 1265

1257

Telegram

Calgary 14th Sept-06

To Hon. White
Ottawa

Your letter just received Hurley cutting spruce 2 days in summer Townships Edgerton Bonnell short it.

W.P.

1251

Telegram

Calgary 14th Sept-06

To D. Bonnell Esq.

Please see Hurley cutting spruce in lieu for White Townships

W.P.

1265

590

1252

1265

Telegram

Calgary 17th Sept 1885

To Jesse White
Supt. N.W.M. Police Cochrane

Pass three hundred dollars for your
farm Morley settlers upon their thirty.

W.P.

1265

Copy

1265

1253

Cochrane Sept 14/96

My dear Sir

On the 23rd ult. I wrote reminding you that by the terms of my contract with McLachlan, Sons & Day then on the 1st inst. you had to pay me the sum for which he was to remove my buildings, and asking you to look to him for this money.

I have received no reply and am very much embarrassed by not being able to fulfil my agreement with McLachlan. The saltier portion of his work was finished the days as that he cannot pay off his men till he gets money from me and I have none to pay him.

Please that immediately on receipt of this you will send me that money as I have where to get it. If McLachlan happens to be in town you may pay the amount to him for me.

Yours sincerely
Jas Mc White

W. Pearce Esq.
Land Commissioner
Calgary

1265

Copy

1265

1254

Morley Stoney Reserve P.O.
Sept 15th 1906

Wm Pearce Esq
Land Commissioner
Calgary

Dear Sir

I had received an application that the Rev. as the settler accepted them had been approved by the Govt and as did not know what arrangements to make and most of the settlers so far as I know are not prepared to pay until the end of the month as the Hon. John A. Macdonell was appointed to bring the money for them to pay with and he will not be back until that time. If any of the money is paid before the end of the month I will pay for Wm Adams and myself

Yours Truly
Jos Lucien Dent

1265

1265

1255

Bowling Sept 15th 1856.

Wm Pierce Esqr

Dear Sir

As we have received no notification that the Terms of the settlement accepted them had been approved by the Govt. and as Telegram Reply came to day at noon and before I had time to get around among the settlement and see what they had to say in the matter they told the Agt that they expected you to talk them matters over with him and as he is anticipating to go as soon as he expected they can't abel to pay till he comes.

I will be down as soon as the payment is over with the Indians and as I intend getting my land I would come pay for it and be done.

Yours Truly

Sgd D Mc Dougall

1265

294

1265

1257

Hollinwood Aug 23/56

My dear Sir

By the Terms of my contract with Mr Mackellar I am to part from on the 5th Sept: one half the Client for which he agreed to renew my Insurance. Will you kindly inform me who I am to look to for this money.

Yours truly
Jas Fr. Cobbett

W. Pegrue Esqr
Land Commissioner
Calgary

1265

595

Copy

1265

1257

Morley July 23rd 1896

My dear Sir

Enclosed you will find Resolution of a Meeting of the Settlers wherein a majority have & pay the assessment on the 320 acres in proportion to their respective areas you will on the passing of the Settlers by the Resolution and oblige

Trusting this matter is now about settled and thanking you personally for many kindnesses

I am yours truly
(Sd) John McDougall

Wm Pearce Esqre
Supt. of Mounted Police
Calgary

1265

396

1265

1258

Bradley Albn. July 21st/56

Minutes of Meeting of settlers at Bradley in Albion Settlement to consider proposition in letter from Wm Ranee Esq. Superintendent of Crown Lands.

Geo. J. H. Grigall was chosen Chairman
Wm. Lucien D. Coleman Secretary

The following were present or represented & all who were interested.

| | |
|---|---|
| Geo. J. H. Grigall | $ 200.00 |
| Jas Graham | 100.00 |
| " Gould | 100.00 |
| " D. H. Grigall | 100.00 |
| " Wm Cyr | |
| " L. D. Coleman | 100.00 |
| Jas Adam | |
| Wm H. H. Grigall | |
| " Boyd | |

Moved by Mr Gould seconded by Geo. H. Grigall and carried. That as a body of settlers we deal directly with the Government and get with any person indebted
Moved by Mr L. D. Coleman seconded by Mr Graham and carried.
That we accept the offer of the Government in raising $1437.00 sterling & the proposition contained in the letter from Wm Ranee Esq. Commissioner of Crown Lands.

1265

1265

Moved by Col. W. Graham, seconded by Col. N. D. Coryell and carried:

That the Letter of the Township of Frazer has suffered heavy loss through the severity of the Season

Therefore resolved that we, as Settlers respectfully petition Government praying that relief may be afforded by a late Locke.

Col. William Cree protested against the resolution of this effect contained in Mr. Parris Letter and asked that his protest be recorded.

Ordered that the Secretary do forthwith express our willingness to pay our proportion of Government grant & make up the £1437.2.2 originally in your proprietors and will be ready to do so before the 15th day of September next.

Ordered that Stiles on this date July 23rd 1808

Wm. N. Coryell
Andrew Caldwell
Wm. Graham
Lucius O. Coleman
N. M. Adams
Wm. N. Coryell
Wm. S. Boyd
Wm. N. Coryell
Wm. N. Coryell and Col. Wm. Cree left the Meeting before the papers were signed

Col. Wm. N. Coryell, Chairman
Col. Lucius O. Coleman, Secretary

P.S. Subsequently Wm. N. Coryell signed

1265

298

Copy

1265

1259

Calgary 21st July 1876

My dear Sir

Mr Wolfe was here this forenoon and had a conference with the Commissioner. The result was that he agrees to relinquish all claim to the North side of the River and moves all his buildings and sheep. The latter will be yarded at once thus preventing any further trouble between him and the Stoney settlers. He furnished us with data from which Mr Kathleen Mc Dougall for said removal stating he had asked several persons to tender but this was the only one received. He removed for removing the building material and then to erect it on the location as at present the place of removal of his hay, corrals, stock &c was valued at $60.00 The Track with the hand & Cottonwood will be $375 Total $435.

To be paid on track sent to Mr Wolfe that amount you stated the settlers would willingly pay. That leaves $435 to be raised for Reinault for Wolfe.

The only item in the award I am objected to follows:

Mr Wolfe's rent of his lease to 12000 acres, that portion of the Stoney settlement-reserve of the McDougall orphanage claim about 65.00 acres. Terms of settlement equals about 800 acres. (You will observe the McDougall orphanage is not counted)

Hon.

Rev. John McDougall
Stoney

599

1265

1265

entitled) The Government will grant you, that is the Worley settlers a loan on ordinary conditions at 1 cent per acre over area which is outside of the settlement-self-supporting area within the settlement. There are probably seven settlers who are eligible to make homestead, consequently entitled to 160 acres each, leaving 91 unused acres which must be sold them. The minimum price at which it can be sold is £1/0 per acre. survey is worth at least £1 Accepts if leased £1 you at 6 cents per acre is to charge to purchasing and at the lowest price the Government would, under all the circumstances, be prepared

The difference between £1-1-0 = 5 cents on £1

£1-0-0 per annum

£1-0-0 which is such rent which the settlers are willing to pay, leave £1-0-0 £1.37 ÷ 27 = £.33 that is 8 years and 4 months rental.

Should you on behalf of the Worley settlers still desire that amount then efforts can be found at once. The Minister authorises you to that effect and further that the land will be sold you at the expiration of 5 years at £1 per acre, said to you as payment, who is entitled to homestead subject to years of 3 years residence thereon, except for release of claim above the free 160 acres, to anyone not eligible as homesteaders may be taken up at that price, the said area will be deducted and a correct amount contracted from rental.

600

1265

1265

Under this scheme this trouble is settled, no outlay on behalf of the Government is required and no injustice is done any of the Morley settlers. It is advisable to leave the division of this amount among the Morley settlers themselves.

Mr White states he will require a portion of this amount for the 5th Lefroy next and the balance is probably a month later, that he is willing to accept your notes for the same.

2 Please telegraph if you on behalf of the Morley settlers, accept this proposition, if so I will draw, cannot be demurred at by any of them.

Trust this is a happy ending of a sad affair at one time, provided the cause of annoyance.

If any responsible party will agree to remove the material and re-erect it for a less amount: I have no doubt Mr White will gladly accept the same and thereby reduce the amount required to be paid him.

I have the honor to be
Sir
Your obedient Servant
Fred Wm Logue
Lieut

103

1265

1260

1265

Fort Saskatchewan Alb.
July 4th 1886

D. Reyes Esq.
— Land Commissioner
Calgary

Dear Sir

Upon letter of the 5th reached me on the 8th inst and I started with my men on the following day and have been kept busy ever since getting the information you asked for. We looked the whole district on and found that the water obtained by the C.A.R.Co was the best of the springs running in the Beaver River, but there are small springs further back which may, by the expenditure of some labor in ditching and collecting them water into a reservoir answer the purpose, and we decided that on the west half of Sec. 2 would be the best place for our quarters. I then got Messrs McLachlan & McDonald, Contractors, to look the ground over and put me a tender for the work required. I asked the Messrs Cree to tender but they said they could not undertake the work — I would like to have got other & better men but people able and willing to undertake such work are scarce & mens time would have been spent too often than the circumstances admit of.

From Mr McLachlan & Mr McDonald we learn through them parts as being about the best men in the district at such work, and I submit to you their tender with specification upon which it is based. It is made under

602

1265

1265

Arrangement that the job will be completed for by other contractors and I consider it a very desirable one. If however you have anyone you think would do it for less you may of course submit the specification & terms and get offers before it.

The building timber will be had on Salt water and every facility be available. If navigation is used it will have to be cut on Ghost River, taken by waggon down to the Bow crossed & N.W. Bridge main Cochrane and hauled from there to Sec. 2.

Mr Cochrane's offer is made with the distinct understanding that it only holds good provided they are notified of its acceptance at Such place 27 Fourth East of here, on or before the 25th Inst. Now this is not accomplished I am at a loss to understand but in the event at any rate of it being the last and only thing I can do. If Mr Cochrane is going over B.C. before returning to Montreal the selection of the Site of the Gap N.C.R. & the manager of the Timber Company will require to commit themselves before they leave the country. How do you intend to get over this? The days I have fixed for the completion of my buildings Oct 1st is the very latest & such I dare extend it, the first week in that month is very likely & I may in a manner stop my work entirely. I am quite well aware however that the Directors of the C.P.R. Co. would not for a moment think of acting in opposition to any [illegible]

1265

603

1265

[illegible] to Mr Cochrane – that Mr Young entertained Mr Fraser, is a mere matter of form and to carry out Brewer's arrangements & Mr Fraser, I am so confident that it will be given up, if urged by the Minister of the Interior, as though the title had been transferred to me. It may that the Minister of the Interior will do all in his power to have Mr Cochrane give up the title he has procured & recommend being given up. I am content to go ahead and build there.

I note what you say about the back rental upon that Cochrane strip of ground, but cannot agree to your suggestion that I ought to pay it. The amount may be $150 or more, but whatever it is, I cannot think of paying it. I paid back rental & more than $1000 for the lease I now hold, because I got the choice of the best of the very few sites perfectly adapted for business purposes lying into – I dont think I can be asked to pay over a second time & such I would have at that time have taken at any price & what I am contending for is this; with reasonableness.

You speak of my getting additional land at $1.00 per ac. as a matter of course, for which at it is no such light to expect it in a proper case. I am exchanging a small piece of good land for which I should have to pay only $100 per annum, for a doubtful tract which will cost me $250 per annum, and an offer to Mr Yorke

1265

604

1265

The line of this survey as a road described which the Chief will adopt as the Eastern, all Land West of the Extension is a Reserve. by which I may be allowed to hold a Homestead such more also I am a desperate way after it. I consider that I am entitled to some consideration from the Government for the expenses I made to take up my claim the South side and for all the trouble, anxiety and labor which this survey imposed me and I respectfully solicit the Secretary of the Interior to grant me the opportunity of granting this application for the Retirement of actual cash at the minimum price of such lands ($1.25 per acre) the value of the 80 acres to which I am entitled would be more than covered by the Extension which I have to pay on the South side but as neither my request is considered in this way I will further promise that by surveying the place and occupying it I could easily - also pay a much the Government should be allowed to acquire it as a Homestead.

"Extract of Letter dated 11th April 1878 addressed by the Minister of the Interior Toronto Manitoba & the Western Districts of Hartley, Assiniboia that any part of the Territory described within the Settlement could be claimed unoccupied Dominion Lands at the date of the opening of any Land Office for the receipt of H. O. & C. applications for them."

Most emphatically do I protest, in the name of humanity that settlers were here

1265

1265

and had the cars started - Between
seven & eight o'clock - that they had
come about twenty miles, that they
were going no further and Shortly
that the Dept of Interior was to be
informed upon such matters that J.
G. Inspector that acting Commissioner
Irvine would be an obstacle to
the speedy opening of the Line, and ended my
visit - I did finally have Mr Mackenzie
upon reading the fact that an exactly
similar state of things at Portal had dis-
pleased the Engineers & the progress
all around that settlement - & Mr Mackenzie
telegraphed the Asst Com. Public Works - Ottawa -
and that in no part of the staging country
except the vicinity of Calgary & Edmonton
large only, had any such Cars been drawn.
I certainly had no reason to suppose that in
any particular case the Government would
adopt a course to establish a precedent
which would shake the confidence of every
Lease holder in the country.

Mr David McDougall a Contractor on Engineering
had to Visit me before my Return - He com-
menced that Some of the Settlers claim
a Lot as pre-emption each Year by re-
quiring of them two acres - the enclosed Letter
and I understood his desire to stand in my
letter of Feb 2nd to Mr Ware.

Mr & Mrs Jno H. Ingalls protest
which I put upon Mr Ware, that I could not
do had no legal right to make such protest
and was powerless to maintain it. He to

Proceeding

606

1265

with his Lawyer and has given Lyon heading and distinctly said to it I would not be inclined to [illegible] the length of time that there would be, Solicitors Lawyers &c &c, I shall certainly within a day or two have an opportunity of hearing the relative values, in a Court of Law. Of course Powers and Legal letters duly signed sealed and delivered - I will not allow a fact to be put on which I am here and if the matter go to Court I will protect the rights and secure very just- he has got around us - if Lyon.

As regards Mr Cochlan Mc Donald's letter to Mr Wells I may explain that the Spring we found us surrounded by swampy ground which we could not build upon - we may well at once at all just where we wish it but about 25 feet would take us to the end of the Corners and I have allowed myself a margin of 5 feet & any chances of having to go further with it. Now from one hole before water is struck. I have placed the Number of Lumber and Effects at as nearly as I could estimate what they will actually be - we just as likely to have put it at less and to little is one to much.

The preparation of the N.A. Bridge for the crossing of the Creek will involve more Labour and Lumber than I had counted upon the Bridge is Square at least 20 feet long and the crossing of the Creek between the Hill will take 250 feet of rough lumber the charge of £20 in connection with this will not cover

1265

607

1265

for half the expense of getting the chief to the other side - I only have a little more to say that I have charged half the other sum of 2£, & the last of my statement fair and reasonable - I still must beg to be informed fully with such questions as the difference between your Bay and last year Bay - the Bay cut at least 8 or 10 chains it is now - and if the Cherokee people don't care to take it at 8½ they can sell it over the river for me.

Enclosed herein will show that the Cost of Erection of Ground for removal and re-erection of buildings at Ross's 329£ and for removal of Hitch and putting up buildings at Hitch 146£ adding to these the value of corn &c and it makes the respective sums 329 and 216£ and I am willing to accept either sum as compensation for removing and re-building - or for removing and building with new materials on the site I have mentioned South of Deer River. Neither of them cover value of Pump and Well Curbs for Ross - we would take them with us.

Removal to Hitch would cost far more than this - Logs could hardly be got to the site we would have to locate upon and we could not have 10 days of Leisure.

Inasmuch this offer is confidential upon it being accepted without delay - and upon me being allowed to use the A.H. Bridge at Cochrane for crossing the Creek - This done by which dispatch the matter should be settled by first Steamer - if we are to cross the Creek

Hitch.

1265

1265

me it would be done in less than a week all my interest in Liverpool by the present treaty we are in and if the matter is settled without the delay involved in communication with Akron, it will have to be done very shortly - However you as the Executor advised me, authorized & settle the dispute and are willing to give me my remuneration with regard to Mr Perkins as heretofore negotiated and that respecting the rest of the proposals made to you by my letter of June 9th that they will be entirely as you please to do & go ahead and settle your time for settling the matter in more definite shape.

In conclusion I would repeat that I have made no demand in connection with this case but what I consider perfectly reasonable and fair - I am satisfied that any jury in the County outside of Montezuma would look at it in the same light, and if any Lease holder happened to be on the jury he would pronounce my proposition perfectly liberal - I am more than satisfied with it myself and if any trouble arises - if there is to be any further delay in coming to a decision or if any part of my proposition is considered unreasonable or impracticable I will withdraw it altogether and let it stay as it is. Every days delay now adds materially to the loss and will increase in consenting to more and if I have to make another proposition to you three weeks or a month hence it will necessarily be one much more

1265

1265

Dear Sir/Madam/Miss/Mrs that wonderful Iron medicine.
Kindly return the M.C.H.C. offer and Specification attached & your earliest convenience.

Yours truly
Ed Fr. Schultz

610

1265

1265

1861

Estimated Cost of removal of Buildings, Stock and effects of F. White from Montepelier to Sec 2. Tp 26. R 5 E

| | Buildings & Fences | Removing Stock & Buildings | |
|---|---|---|---|
| No 1. Stock Shed | 620 | 150 | |
| 2. " Corral | 80 | 60 | |
| 3. Hay " | 47 | 30 | |
| 4. Stable " | 37 | 25 | 47 |
| 5. Stable | 100 | 70 | 60 |
| 6. Cow Shed | 85 | 70 | 60 |
| 7. Shed " | 140 | 60 | 30 |
| 8. Cabin | 100 | 70 | 60 |
| 9. Well, 9 ft 3 in ø 20 ft 8 in 66 | 82 | 70 | 60 |
| 10. Transport of effects, 4 Loads at $3 | 30 | 20 | 60 |
| 11. " " " 2 " " $3 | 15 | 10 | 15 |
| " " Lumber Hay Racks & Sleds 26 | 30 | 20 | 30 |
| | 449 | 75 | 929 |
| 20 Tons Hay @ $4 25 | 127 | 50 | |
| Outside Corrals 14 days work $2 | 28 | 20 | |
| Use of Hay Racks, 2 1/2 days $2 | 5 | 00 | |
| Extra expense of getting Stock home | | | |
| Cow Boys | 20 | 00 | |
| Sundries | 15 | 00 | 20 |
| Total | 644 | 25 | 1129 |

1265

| | | |

1265

12 by 2

Barleyfield Alta.
July 7/05

The Hon
Land Commissioner
Calgary

Dear Sir

I have just been informed by Major McPherrand, that a Grant of his Half Section has expired for the non-fulfilment of Homestead duties, that I had for Entry in the Edmonton District, that I had the prior right of Homestead to Land in Manitoba, and a reason in the way of with family, Stock and household effects; and that his Claim was considered that Major McP. is nothing for cutting and delivering your Department Logs of 100 Trees Logs for him, and that his attention to the Duties of Homestead and Pre-emption and duly a certificate of which his services during the Rebellion have entitled him to a Entry first entries that which he expects to Claim.

I think it very probable that the whole section of Land which Mr Gardiner proposes taking up is on the plot you offered me, and if it is, it is almost certain that out of the two end of the Lease I am now residing upon will be taken from me, and I trust that some step will be taken to prevent it, and secure the transfer of the property privileges & rights as stated to me when my application was made, if it cannot be done I must withdraw my offer of settlement altogether it was done to Farnell & it stood and with probably the shortest notice served in

1265

612

1265

against me I should be swiftly pursuing
out of the Agency. Even if the [illegible]
the very day on which the Cabin
can have already established a claim to
homestead on the land you offered me. I
should by purchase if the Cabin erected
by Mr. [illegible] for shelter of his own last
year - This Cabin may be may not be in
the agreement- Section but if the purchase
of [illegible] complications would be averted
I am quite willing to buy it and enclose
letter from Mr Shepard which, after read
you may find it have a bearing as you
think best.

Yours Truly
Jas Fro. White

613

1265 1265

1263

1265

Calgary 5th July 1886

My dear White

I had a talk with Senator Cochrane on Saturday afternoon and he has agreed to submit a proposition to the Directors of the C.A. Ranche Co. to relinquish in your favor all of the S/2 26. 5 05 W 4th & the S½ of Sec. 21 S/2 26. 5 05 W 4th on payment by them of the back rent in the same. This with the W/2 25. 5 05 W 4th & that portion of the W/2 26. 5 05 W 4th lying South of Bow River will I think give you all the land you require and a very eligible one indeed, giving you the slope of the hill you would wish plenty of water in streams that can be utilized for sheep watering. You will be able to build on your lands and the same time be close to the Union Pacific R.R. Ry, the head quarters of the Cochrane Ranche & both home & sheep branch.

The Senator at first seemed very averse to acquiring any portion of his lease stating it was the intention of the Co. to put on this year about 1500 Steers & Colts in addition to what they already had, that this was a portion on which they found very little encroachment from settlers. He stated however that so long as you kept your buildings off their lease, he might promise you could graze your sheep there. If you do not require all that he has specified you might take the westerly tier of Sections as I asked him if he would decide this when you leaving him a portion of the S/2 Sec

Hon. J. White M.P.
Ottawa
Ont.

614

1265

1265

of Sec 25, T 85, but to demurred on the ground that it did not have the remaining portion as compact as he wished.

The only ground on which Santee could get you can object, if you obtain what you likely will, will be the back rental. But if you are paid for your back rental on the present lease you cannot object to do the same on this particularly as by doing so, you will be able to obtain a lease at 1$ per acre not 2$ as called for by present regulations. You will therefore save the difference.

Before closing I would direct your attention to the 3rd clause of your lease and without appearing an opinion I would ask you if you do not think, from what I have explained to you of action taken by the Minister towards acquisition of the Settlers claim at Morley, if any part of that was entered within the settlement would be termed unoccupied Dominion Lands at date of execution of your lease and date of Sec C. or application for lease. Certainly, what is known as the Orphanage claim would not and you do know that settlers were here and had the same fairly well cleared before your buildings had been commenced. I understand the Rev. John McLean filed a protest against this location and I myself stated to you on my last trip in before you commenced your buildings, that you were on the Orphanage claim. One of the chief objects of leasing, is to check

615

1265

1265

The enemy not for Sanford of obtaining total
Control & advocate that you should be
aware of all that is contended & bear it in
mind in fixing prices you ask should be fixed
for renewal. In making my recommenda-
tion to the Govt. it will be my duty to
report this in all its phases, and take every
thing into consideration in fixing damages to
be paid you. If it should be placed in
my hands the Commrs may decide you have no
rights within the Works below, leaving
you and the settlers & the Govts to decide
your rights outside thereof.

Believe me, very truly yours
Jed Wm Reed
Capt.

1265

616

Immediate & Private

1265

1264

Calgary 29th June 86

Sir

I have the honor to inform you that I have just returned from Morley where I arranged the dispute between Whitford and the Morley settlers, but before a final settlement can be arrived at, it will be necessary to know exactly what land he is to receive in lieu of that relinquished by him on the telegraph reserve at Cochrane Lake.

If he is to receive only the S½ of Sec 25 and that portion of Sec 26 South of River in Range 5 West he desires to retain all that portion of his present farm lying South of the Centre line of Sec 26 Tp 26 R 6 West & North of the land surveyed for Morley settlers.

As you will notice from his letter a copy of which I enclose for any a week ago his demands are that he be reimbursed for present outlay. that buildings be erected thereon of equal value to those owned at present by him.

On the other hand Mr McDougall states that the present buildings were erected on the Orphanage site of no more value & that claim from the Industrial Farm chiefly dug three feet 6 & 8 inches deep.

Another point to be decided is having a lease of this case is what to do about the Morley settlers on this land? within that survey but outside of the Stoney Reserve there are about 600 acres, more and above the portion claimed as the R McDougall Orphanage

A. M. Burgess Esq
Dept Secy of Indian Affairs
Ottawa

617

1265

2465

Thus ye probably over 600 settlers entitled to a free homestead of 160 acres each, which will leave, in round numbers, 250 acres for sale. The area claimed, though large as compared with that required for Crown grazing purposes, and if the sale for unearned price is taken in December 1883, or 1st Sept 1885, there will be claimed by these settlers at least 2000 acres at $1.25 per ac. The balance, it will be argued, should not be charged at a higher price, it is land suitable only for stock and at rate at which lands are leased by the Govt. is a high price.

It will take at least $1,000 to by me a day while for his lease, in spite of his breaking & removing to new ground. You will notice he demands a quarter in the same terms as the old one, viz, 1$ per ac. per annum, which under the circumstances may, I think, be granted.

Should these settlers might be required to pay for say 500 acres at the rate of 1$ per acre, for say the first 4 years on which no rent during which it has been remitted by Govt. $50 a year for 3 yrs = $150 If Govt abandons his claim & leave wholly on this ask if more they should like pay at once at for rough draft of Govt like of $1.25, or agreeing his lease & settler in this district.

Survey is worth 6¢ per annum, rental 1$ per ac. valuing land at $1.25 per ac.

1265

makes it worth 6d per ac. per annum to settle. to have settlers than purchase 640 acres at 5s per ac = £270.

Assuming it cost £100 to buy out whole, 1000 – 162 (say each cent) = £838 = $\frac{838}{270}$ = 3+ therefore the proposition would make would be in this case.

Let all the settlers & Claimants within the Morley settlement pay a Co. and lease the land at 1d per ac. for sufficient time to make up deficiency & what and after expiration of that time to purchase at £1 per ac. The latter by this scheme practically would pay in advance for rental at rate of 6d per ac. 1d per ac. & Govt. 5d to found to buy out whole. 3 or 4 years after that if they did not purchase they would be charged at the rate of 6% per annum on £1 per ac. They will require no outlay in cash for the Govt. to arrange this matter, it is taking the settlers literally and is an arrangement that confidently would be accepted. If within the said 3 or 4 years anyone wished to acquire the freehold this could be on payment at rate of £1 per ac. and area thus acquired to be deducted from area leased.

At present if land were open for sale as the Parties plead poverty probably they would neither purchase or lease but wait to regard & their presumption, be practically on the same terms as Europeans without having to pay military expenses under this scheme the revenue from land is not sufficiently appreciably

1265

619

1265

Have a letter from the Superintendent of White Pigeon to-day, this point comes from Indian Dept. let that Dept. adjust it if it will & White. It is written to a Great Indian Treaty. that Dept. would charge this sum as part in, and of the Bryall expenses.

White informs me he has extended his means, and it is impossible for him to move without pecuniary assistance

like all other generals, it has been rendered much the more difficult of settlement by a good deal of high language indulged in by both parties.

I see in Reading claims to the Speakership with Keyser, that may be joined, a full report. Fuller will go by last mail.

Please telegraph me if Denny make action of the offer suggested.

I do not of course make this official if you see fit.

Yours very truly

Yours obedient servant

Sgd Wm Penn

Supt

1265

620

1265

1265

Merley 21st June 1866

A. H. Burgess Esqre
Dep. Com. Lands, Ottawa

Many Joffre White North half of Twenty-four and all Twenty-six North of River Thames Superd. Condition Settlement with Dr Dupuis dependent on this

Yrs &c
Wm Pearce

621

1265

1265

1266

Morleyville June 9th 1881

Wm Pearce Esq
Calgary

Dear Sir

Your letter of 1st inst was mailed too late for Wednesday's train but being in Calgary on Friday I got it from the Post-Office there and have carefully considered its contents.

Briefly put, the case as stated by you stands thus:- In Feb 1880 R. J. McDougall presented a petition on behalf of the residents of Morley, that land were made in every of the quantity allowed by Homestead laws should be granted to them or sold to them at $1.00 per acre. The Minister of Interior promised his favorable consideration and ordered that a survey of said land being made:- that you do not think the Minister can grant three settlers the 320 acres each provided for, in any lease but will have to sell to each one what he has asked for, that such assurances had been given to Rev R. McDougall by the Interior & Indian Depts. with reference to the Orphanage claim that that also must be withdrawn from the lease - in other words that Government must transfer to them the whole lease of 12000 acres or the 8000 acres of it, including the land upon which any buildings and corral have been erected, being sold & granted to the right claimants, and who if shown could establish a legal right to it. That the privileges guaranteed them by any lease

1565

1265

must be rendered more than palatable to
us by those which seem to have been
nothing more definite than a promise
of the favorable consideration of the Minister
of the Interior.

Of course it is clear enough to me that
you consider the transfer from me to Mr
Orvell this friend of the whole lease
the best policy if not the only effectual
way of settling the dispute, and fully
realizing the disadvantage it would be to
me, for a time at all events, to leave among
people whose interests are antagonistic to
mine. I am quite willing to consider
and to yield to any reasonable and just pro-
position aiming at such settlement, and am
prepared to make great sacrifice in this direc-
tion than would be if I could take legal pro-
ceedings against any one encroaching on the rights
conferred by the Lease, without going into detail
particulars to charges of favouritism against the
Government, but the offer of the Rev. Mr. Le Boyle
to exchange the back seat I had to occupy
the Lease and let me off without this all will
the Indians if I will transfer the Lease to him
and hurry off it at once, is really too unreasi-
nable.

I applied for a lease of this land on the
5th Dec 98, subsequently went to Ottawa for the
grand purpose of observing it and under a-
dvice of Counsel decided not to pay it was then
spread over. Nothing then was at any rate
agreed upon until the month of August 1900
when I was returning from Victoria

1265

629

1265

with my sheep and when my buildings were well advanced, had I any intimation or suspicion that such claim were under consideration or even existed - I maintain I was perfectly justified in putting where I can the buildings necessary for the lambing and handling of my stock, and so I told Jno. M. Edgar to protect against the completion which you ask me specially to see to and, in one former letter than yours that on Sept. 25 when we met in Calgary & discussed the matter he could not produce a particle of proof, or evidence that he had a right to make such a protest.

When you were here on the 31st Oct. I said that as I did not consider the Railway offered an equivalent for that which I abandoned to relinquish I had about concluded that after the Majority had taken from the Lease that area he felt compelled to take I would hold on to the balance and ask for land South of the Bow in lieu of that taken. You expressed the fear that even then the Settlers would create for me uncomfortable for me and I replied that I could not help that and would have to take chances on having my legal rights maintained & respected. From your letter it would appear that you misconstrued this and understood me to say with reference to the whole matter, I would stand upon my legal rights under the Lease - I had no such intention or thought - as stated in former letter I have

1265

624

1265

from the first upheld and should have
have deemed it unmanly to oppress
him made to all settlers like the Mess.
M. Orgill.

As to the Settlers petition to be allowed
to purchase at 8/= per acre, their varying
from 100 to 200 acres each. The Tribe
of Tuhua who signed that petition did so
simply for the purpose of showing as to
the Government of any Lease - Mr Ashton-
had they not left in a position to make
any such purchase - nor if they were and
their Tribal Lands so had the desired effect
of freeholding me with giving the Lease up to
them it is but very likely that they would
make good their occupancy to the Government
by paying 8/= per acre for pasture land to the
loss of which settlers any such purchase
they would have become entitled as joint-
proprietors of the Lease.

In regard to Land claimed by Mr Brunell
I understood you to say that his having grubbed
& cultivated a portion fulfilled the condition and
left him entirely dependant upon executive
clemency for the holding even of his 640 acres
when Surveyed as they have stood which is
claimed. This, he did it with the openly
avowed intention of selling it as soon as he
could get a purchaser. I fail to see in
what way such a transaction is entitled
to the very exceptional consideration in this part of the Country usually
by the Native Settlers or the Govt. grant.

As to the relative value of the pasture

1265

825

1265

and in the Republican valley & Beaver Creek - the farmers of Kansas who have so much at stake as the crops & Orchards can hardly be advanced as proof positive a reasonable safety - They may be correct in saying that Indian wars experience has proved to them that South of the Bow is just as good for Indian protection as the North, in a general way this may be the case, but will they assert that between the Republican & the Solomon any equal area in the North side of the Bow & Platte gives evidence of Indian depredations for two or three years past, in this vicinity the writer of this report from the middle of November 65 to the close of the Cheyenne Campaign of 1867 continually outran a band of Sioux Warriors on the Smoky Hill road, (from Fort Ellsworth to Fort Wallace) till the end of February or late in the winter season - with Lack of Indians & the Country and Forts Wallace & Harker destitute of Forage, Even Lee a crushed corn & many Islands which except & sustain the weight of a horse and that during nearly the whole of that time the Smoky Hill Valley was hard of Snow and forded for feed for stock of all kinds - The writer speak of one exceptionally severe winter of 66 & 67 to show the confidence of safety and certainty of being able to carry stock through just such exceptionally severe weather, that makes this large district I claim it Unfit for settlers & everything South of the Bow, or North of it. when for that matter. Then the Range South of the Bow has been repeatedly swept by

1265

629

1265

fire and the cross followed by the 2d.
corresponded in our notes with the direction
of the prevailing winds favorable first
grounds for the fear that an annual loss
will only be averted by the expenditure of
considerable time and labour in fencing
and burning fire to the very beach. The
Harbor also has not been secured for even
its boundaries are natural fire breaks
that make it practically secure - this, however
more than compensates for the difficulties
& trouble in getting from it to the Railroad
at last. it possesses all the advantages of
proximity to the River with perfect im-
munity from the one great disadvantage
& danger of such proximity - fire -
The Town in itself may say a few words.
Immediately that with a given number of Troops
it would be safer when I am with 12 or 1500
than it would be with double the men & the
other side of the River. They are invisible also
in saying that there are good locations for
Commercial buildings on the River front &
on. Schools and Churches for each
each end of the Range and it would be
exceedingly difficult to find even
The Public Facilities consist of a few small
Lakes which of course freeze up in winter
at the South end a Stream which also dries
up in winter and in Summer only a
Deep Serpentine pond through swampy
low land, a Place for Sewage & Privy
off Salter than Ocean no a site for Head
Quarters. At the North end there is a Deep

1265

627

Most running stream which empties into
the River about a mile East of Radnor.
Its short length is already homesteaded and
anyway would not be suitable. Among
other things which Cattle or Horse Ranchers
have no need to consider in selecting a
site for their buildings, the sheep owner has
to keep in view the fact that his stock is to
be driven out and into his sheds every day
thro' the winter and that while they may,
when hungry, be made to feed all day in
a cold wind, it is exceedingly difficult and
at times impossible to drive sheep or make
them travel right along against it; that is
to say if the wind is strong from the N.W.
and sheep feed out to the south and
come back with the wind — if he puts them
to the S.W. when night comes he will probably
find that he cannot get them home again.
You will readily see from this the desirability
of having grazing lands north of winter quarters
and that to obtain this on South side of the
Bow it would be necessary to locate a mile
or two north of the River — My man (who has
spent his whole life among sheep) and I have
put in a whole day on the territory you offer
us and could find no good place for winter
quarters at the end of it. Places that are
suitable as regards shelter and feed have no
water near them and we should have to depend
upon a well and pump for our winter water
supply. The east or Cochrane half of the
Township is much better territory in this
respect.

I now submit to you the terms upon

1265

1265

which I am willing to relinquish a part of the whole of my case and would only ask that in ascertaining the sum it may be borne in mind, 1st That a change of locality will compel me to devote the whole summer to the building of winter quarters, which would not, and to the superintendence of the erection of the same, time which I could spend to very much better advantage here.

2d That in changing I am the risk of finding that I have given up a location for winter quarters where it will answer that purpose to any pecuniary extent, for me, of which I may have to shield myself and part grasp after every opportunity.

3d That I shall have to pay out every year a considerable amount for work necessary to start fire and shall have to pay additionally just double the value of my time to begin with, as stated by you when you were here, any arrangement necessitating the removal of my buildings and telegraph must provide for such removal free of expense to me. If this cannot be done I see no alternative but for me to take the two years notice of withdrawal from the terry of the land upon which they stand. In saying this I do not require you promptly on the last day to give to take advantage of the privilege conferred by the law, but that the Government or any one else may not be misled I explicitly cannot fulfill myself. I have invested in my business all the capital of my command the buildings are absolutely indispensable to me.

1265

629

1265

I cannot agree to them and do say on behalf without fear and unobstructed access upon I shall be compelled to prevent by legal proceedings the completion of the fence now being built around them.

The first proposition I would submit is based upon the assumption that the land in question is one acre equal to a complete square will area to cover all of Sec 26 R 5 lying South of Line 2, and the Northern portion of Sec 25 R 5 (the South side of this Township is little or no good) I am willing to exchange at once the lease now held for a lease of the above described territory provided

1st That the term of the new lease are the same as the one I now have.

2nd That I am reimbursed all rental paid & due by me for land during which my sheep were not on this range.

3rd That free of expense to me my buildings and belongings shall all be removed and the buildings I erect be erected & similar ones built with new materials, upon a site South of Cow pen. Said site to be chosen by me would probably be within the limits but any of access from the Cow, but all to the South Stream 2½ miles or more difficult of access from any fence erected by the Stewarts Cow. in that side.

4th That I get my sheep on the Plains to Grass Stream for the Est. boundaries of the C.P.R. Co. & Grass Stream across their Range at Cochrane. I do this we would have

1265

630

1265

to lay down boards over the hole, but the whole could be done under the [illegible] a well could be obtained in a few days and would be a great saving of labour and of putting up a temporary with portable corrals &c.

5th That may be allowed to build as a homestead on the Territory leased to me, an equivalent in acreage to that which would be taken from the homestead, South of Calgary - The relative to the South side of the River and the fact that Calgary will eventually be a great cattle settlement - a stable could be erected for $50 and would, I think, help the interested parties at both places, if [illegible] to the letter, to a sufficient extent under the circumstances, to satisfy your Department.

The second proposition I would make is based upon the assumption that the Calgary Ranch on the Western portion of the 25 Red & Bro - That the land claimed for exchange must be given up and that all land rights & Cattle Ranch [illegible] to it & [illegible] Cattle which have their heads from the Bow River portion of the ranch, can willingly be kept on the Western portion of [illegible]

1265

631

1265

of the Row and the Northern part of Sec 25 R 5 say in all an area equal to half a Township, in lieu of which the Department [illegible] compelled to take from me in this side provided

1st That the terms of the Lease as the same as that I now hold

2nd That the amount of rent which I paid & more this Lease be refunded to me.

3rd That my buildings & shall be removed as stipulated for in the 3rd condition of my first proposition but the site for their erection in this case to be as near to Station Station as a place can be found suitable for the purpose. It would therefore have to be on top of the high land immediately at the back of Radnor but if we cannot agree upon this, the question to be settled by three disinterested parties who have had experience with Sheep in this Country & the U.S.

4th & 5th Same as in my first proposition.

6th That in selling land by tender Letters a definite time of payment shall be stated. until such payment is made the land shall not be fenced but as regards pasturage privileges shall be open to my sheep, and any land not paid for by the time stipulated shall after record a part of my Lease, and that as between myself as Lease-holder and the Council as a Corporation this claim shall be settled upon its legal merits.

If this proposition is accepted by the

1265

632

1265

Covenants ... erect ... every fences shall
and Laws ... back of the Public and
are to ... for any pound of sheep.
& ... value for the removal of any
building and telegraph wires it shall
clearly understood that I mean the Com-
pany by all clearing Fences to be on proper
am being forced to impeach to. That the
same number of feet of shed Corrals &c
Stables, that each he shall be erected
in as substantial a manner as those
Now. That a stoned well of same
size as the one shown here a deep enough &
fill on 2 feet of water in which there
shall be built and made ready for use
by any one of - that if any part of
which is required as much hay as shown
on hand shall be put up for me on
the other side of the River - that the part
that would cost to put it up; and if
any more preparation is found, and he
shall be allowed to remain there at a
fair charge and fenced against cattle
at least - while and that any damage my
property may suffer by removal shall be
made good - in other words that as regards
said line they and all working arrangements
should be placed on the other side of the
River just as I am to them. I should also
that I contract undertaking in detail all
that I consider necessary to secure this be
given to responsible parties who shall not
be paid for the work until I certify
that it has been done satisfactorily

1265

633

1265

if any difference to Genl. as to what Gen. Ord should be considered satisfactory should arise between the artists and myself. I would be quite willing to accept Genl Baird & Engrs or Genl C. Sheridan as an arbitr.

If there is room & the time will I shall have a few of my Store Sys. removed, this and the Building of buildings and corrals, ploughing and burning fire breaks &c, would necessitate the removal of my sheep and working outfit & the South side immediately after shearing is over, which will be about July 4th and I should have it stipulated that my cabin, stable and hay corrals be evacuated and ready for me on or before Sept 6th the larger stable and other stuff on or before Nov 25th & this arrangement, from understanding the work would not be prevented from finishing & this year having.

Immediately after shearing I contemplate to have both sheep pens the same and as soon as the season permits I must commence haying. I can do neither till I have seen the sheep as I do to contract a great number of cattle & horses belonging to residents of Burley are now grazing by my hay ground, if I am to cut hay there this winter I must begin at once & have them off - in fact the planning of the whole of my summer operations, hands upon the location of herding quarters and when they can be settled by the middle of July, I think the whole matter will have to be given another

year

1255

634

1265

The Paris Journals will soon say that the Emperor and attendant Generals are dining at Paris, but I delayed [illegible] reasons and did not materially increase my working expenses.

Yours truly
E. F. White

1565

1265

Calgary 1st June 88

My dear Sir

I have your two confidential letters of yesterday and today & should be glad to write you fully in this matter that you might have all the information I possess and from that you might be better able to decide what was the best course to pursue.

On Tuesday last early in the morning I was present at an interview between Sir D. Macpherson and Mr. John A. Macdonald in the car of the former in which Sir D. Macpherson presented a petition on behalf of the widow of Hardy, who had been killed by Indians on the Blackfoot Reserve. Mr. Macdonald replied that he could not refer this to the Department of the Interior but would himself look into the matter. He went on to say that the Indians were starving. They had their claim to their grounds. That they had given their permission for the railway to be built and claimed at the rate promised by our Treaty engagements, i.e., $12 per acre. That the Settlers who were entitled to acquire title to W. Reserve of the C.P.R. at $2.50 per acre and then were refused to purchase the remainder at $8.00 per acre which was from a financial standpoint quite advantageous to the Company they could get it at $12 per acre. He may tell you frankly that Mr. Macdonald

Francis letter 2/6
Hardy

1265

636

1265

have committed themselves entirely to prevent any retraction therefrom and shall ever be loyal. Hoping pleased you to have read and heard it to the end of the form that pleased the feelings of your heart, the Principle cannot limit each other to no more, but will require to part each other has been started by the Lord or else the miserable Devil through failure of you for some of might then be at the disposition of the Lord since I have proved me subject to Conviction, but there can be no reason urged against the Lord and for which purpose the war is self-evident, then ended & concluded by them parties, they have a Herd of about of 30 cattle and horses, more or less, which was the area entered by this Survey being in broad square form.

Sought & urged that the Self-Claimed by any one Effected at all events belonged to Boy Cave which you acquired, & that he should not be precluded more than one acre. Stated that was in possession the matter pleaded with the Rev. John G. Bryant and he stated in reply, that at least 6 years ago Boy & Gould was ordered by J. H. Gould that he should, that he had abandoned all claim & interest & would then Boy Cave, and agreed him to all of anything belonging to him, and Boy the Lord to the Lord, and was then he has no other and Lands here as a settler as much as any one else in the Country.

1965

637

1265

Whereas disputes have arisen between you and the Rev. John B. Boyd's Executors, you were allowed by white Bear which was to be the latter would cede. Be it known the Methodist Church of Canada has secured such reserves regarding this claim but from Indian and Territorial Departments that if he cause you trouble, serve you with eviction & he cause determined or shall cause be so serving in the claim, and Enrolled direct your attention to the fact as even a Stic Lot 2 fenced less than 1/4 mile of fencing will connect the North West corner of the Ashbridge claim with the fence already erected near the centre of the Lot claimed by the Rev. John B. Boyd a further erection of 1/4 mile will connect from S.E. corner of the Ashbridge claim to the Short River, practically the whole of the settlement is enclosed and you are cut off.

Again I understand that several claims are preferred to lands in rear of the Settlement and the result may probably be that the Govt will be compelled to put you on a new allotment & leave at present of the year and during that interval you will be evicted in crop and harvested by neighbors who will reap the fruit of your labour, whereas protection has been promised, representing that steps be taken to allow you to remain, that you will destroy the Cattle Depasturage and that the lands are a trifle that you shall be through from destroying any crops, that

1265

638

1265

render their farms of such a nature as to
prevent sheep going through will entail very
considerable aid from their point of view-
very unnecessary expense. If people make up
their minds to build fences they will soon
discover multitudes of opportunities for so
doing and sincerely entertain those as illus-
trating.

On the other hand the Rev. John McDougall
understood by [illegible] reports after twelve years
experience, that north of the Bow is just as
good for winter pasturage as the north, that
there are good places for corrals and buildings,
that every year the day will be an advantage to a
great number. In coming down yesterday it
struck me that right the other side about
3/4 of a mile below where the Elbow empties
is a very nice location for building, the high
bank to the north affording considerable shel-
ter, further that by having the goodwill of
the Indians which would thereby be obtained
by going up your present location you would
have pasturage over thousands of acres in the west
end of their reserve as there is no settlement
of them within seven miles of the East end
of their reserve, and it be many years before
it will probably be fenced that their [illegible]
even on the north side would not be desirable.

I am aware that it is not a pleasant
prospect for Mrs [illegible] to live at a distance on the
north side, but in life it is the unexpected
[illegible] so certain to happen, and it may be
that in a very short time she would find
herself quite pleasantly situated there etc.

Hence

1265

639

1265

dear Mr Grant- Hope

The Hon John A. Boyall on his part offers in behalf of the Letting, to take an assignment of your lease paying all the dutat you paid except the last year. On behalf of the Ont Govt offer you the W½ of 25 and that portion of the W½ of 26 lying East of the Govt trail all in Range 5 W 5th Mend that the ½ of the last township lies within the Cochrane lease. As however there is an misunderstanding in the matter of clothing upon Lease Mr Smith, on request from the Premier, they would relinquish the E½ of 25 & that portion of the E½ of 26 lying West of the Govt trail and will do all I can to obtain this for you. There is another point remaining to be arranged & which brought out and that is the loss sustained by you in destroying your buildings. If there is any way in my power to make good a portion of this loss, I will be only too glad to do all I can in that direction. It is probable, that if this matter can be amicably arranged between you and the Parties Proper, they might be open to assist you in rebuilding. In considering however any claim you may have against the Govt in this case, it will be well to bear in mind that before you had proceeded to any extent with their location in their present position you were advised of the protest against

So, in some measure, to make good your loss, I am prepared to recommend to the

1265

640

1265

Sorry to be considered of the Privateer
that Sophia of Do. 10. Lo 2d. & 3 6/12 allowed
you to sell you at the minimum price
prescribed by the Regulations.

You my dear Sir, I have hurriedly
just before you all the points against the
Vessel you stated yesterday, you had
about concluded to take Prize, stand on
your legal rights under your Lease -
Party considered this fully and
you please let me know the conclusion
you have arrived at -

Jas Wm Pearce

641

1265

1267

1265

Calgary 2nd June 1886

[redacted]

By a telegram from Ottawa I am directed that you claimed to have erected buildings on the W½ half of Sec 9 Tp 28 Range 5 West of 5th M. for which Homestead Entries were called for and have been issued to other parties. You will therefore please abstain from making any further improvements on the lands in question.

Would you please send in with as little delay as possible, information on the following points.

1st What ¼ Sec. are your improvements?
2nd When were your improvements effected?
3rd Nature and Amount each value of said improvements?
4th What will it cost to remove your buildings?
5th If the buildings are of logs, where was the material obtained?
6th No. of cattle you have at present and where are they grazing?

I am Sir
Your obedient
Servant
per Mackay P.C.
Calgary

W. F. [illegible]
Manchester
England
Via Mackay P.C.
Calgary

1265

612

1265

1268

Telegram

A. Ia. Burgess

Would ref- Cochrane Ranche
cattle all Twenty-six fr South Bow
River if requested regarded cattle while
in Macleod pall.

21 Collect-

1269

Telegram Ottawa Oct

A. W. Sparrow Calgary.

No trades needed for Dis western portion
of Townships Twenty-four and Twenty-six
in Range four West Fourth reg to be
erected buildings in North ends by and
arrange matters between town and waste
A. Ia. Burgess

643

1855

IV 68

IV 69

1265

1270

Rec. from Mr. Wagstaff

The Discharge of the Virginia Claim
against for Indian Depredations &c. to the Amt.
of $ 1.5.5 Dollars Thirty & three cents per Survey made
by [illegible]

644

1265

1265

[redacted]

[redacted]

[redacted]

[redacted]

Claim

do

Finished the 2 acres in Spring 00,

do

88 acres in all 3 crops
[illegible] this year, acres
of my share with the [illegible]
[illegible] on this claim the following are
[illegible] the present [illegible]
situate in the Township above
[illegible] intended to erect [illegible]
dwelling as soon as [illegible]
secured.

[redacted] as this on lot?

[redacted] farming $1200
do

None

do

[illegible] Claim [illegible] the Patent [illegible]
[illegible] Exhale Exchange Trading Office

[illegible] Exchange [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]

do

No. Estate amount of Stock
owned by Applicant, horses,
cattle, sheep, pigs &c. present-
Cash value thereof

None

645

1265

1265

1265

1265

Ref 40572
D. 6531

1271

25 Feb

Sir

I have the honor to forward
herewith, by direction of the
Commissioner, their Office file No. 40572
covering papers relating to the claim
of Rev. John McDougall to certain
land at Morley.

I have the honor to be,
Sir,
Your obedient servant
Per George Young
for the Secretary

Geo. Young

The Superintendent-General
Department of Indian
Affairs
Ottawa.

1265

1265

1272

O. 24494
Ref. 107012

25 Feb 6

Sir

I have the honor to inform you that your communication addressed to Mr. Supt. Perry in reference to land claimed for orphanage purposes at Morley has been forwarded to this Dept. who is at present in Ottawa.

I have the honor to be,

Sir

Your obedient servant

Secretary

Francis White Esq.
Indian Agent
Calgary

1265

1265

1273

B 6531
Ref. 4375

25 Feb 6

Sir

I have the honor to forward
to you herewith C.O. file No. 43752,
covering papers relating to the claim
of Rev. John McDougall to certain
land at Morley.

I have the honor to be,
Sir,
Your obedient servant

Secretary

The Supt. Genl.
Dept. of Interior
Ottawa

Recd.

1265

619

1265

1274

Fullwood Alberta
Feb 12th 1886

Dear Sir

Since receipt of your favor of 11th inst. I have been unable till now to get to Calgary to swear to the declaration you ask for. I enclose it herewith and in further explanation may say that when I came upon the Bridge Head great difficulty in finding a place to locate for the winter. The whole Bow River front was found in Chief Brave's hands as pre-emptions and improvements - my premises & others covered every location desirable either on account of shelter & proximity to water & hay land.

The Bills fronting on Bow River at the fall sweep of the Chinook winds and on this account represent the most valuable part of the town. All the territory South of the Trail on this front claimed to be sure is held legitimately by homesteaders, except that which has been called the Exchange field, as I intended to locate immediately in front of this field and South of the Trail as being most likely to give me eventually a wide frontage on Bow River. My reasons for expecting this were as follows. The Rev. J. A. Prongell had even claimed & been obtained a title & right to hold this land. Each of the two small fields on South side of the Trail cover

650

1265

1265

Territory at present of orders with numerous visits to other desirable characteristic points such places as would attract visiting settlers. The first survey of the C.P. Railway has placed the property - Cypress Hills & Land of educational value, there is what many consider a superstructure of splendid Pasture Territory on the Indian Reserve and immediately adjoining the Orphanage buildings Land equally suitable for any purpose for which this could be put. Why therefore are they not made from the Reserve and from the Orphanage Land for orphanage purposes?

Before making a portion of the Land is to small enclosure for a few years to come and planting about half an hour with potatoes last year. The friends of the Orphanage have been able to make [illegible] on their behalf. The enclosure with which the fields are enclosed is the cheapest known in the Country, but the cheapest known is dear. That with the assistance of the Indians he could build half a mile of it per day, its value therefore is but a little more than the value of the rails of which it is constructed. It can be raised with equal facility and without the disfigurement of the rails. Before commencing my work I asked the Board to consult (for whom were then at Edmonton) if he knew the matter of the Orphanage Land and he said he knew that there was no intention but he supposed the Church authorities that they should

Edmonton

1265

1265

& secure the land for Indian Orphans by deed but trust that Colonial Office would not even put & take any steps in the matter and that nothing further had been done about it.

All this has been very truly, as regards the Rev. J. McDougall Mission, unfavorably commented upon by the inhabitants of the District. Had at the earliest idea that he claimed for the Orphanage any more territory than that he had fenced in, said firm after the information would get believed that the cheap fencing done ostensibly in behalf of the Orphanage was really done and maintained for the purpose of obtaining bona fide settlers outside the McDougall family from taking up land which the Mission followed the route originally surveyed for it would have touched very closely Edmonton.

Since that even if the homesteaders had never fenced very much in excess of the maximum stipulated for in Clause 11 of the Lease and supposed it possible that the Government might see fit & desirable somewhat from the ordinary homestead rules in favor of the Orphanage, Rev. Mr. McDougall, but did not expect that having granted the lease, the Managers and Directors of which entitled him to financial assistance & start the work Orphanage with, the Government would make wholesale encroachments of the most valuable

1265

652

farmers & people who have been using it for years but did not think it worth the trouble & expense of legal acquirement. Now had heard and studied it.

There no defect in the range of the limited right and of course every rod of fencing there it became of value - The petition of the Rev. Mr. McGrath appealing for liberty to cut wood in the nearby forest for the orphanage, which under our buildings, and the Hedge &c for that matter, nothing to say one way or the other. Mr. McGrath and his friends. One should not be put at without pasturage for their cows on the same ground and the same should enough would be too small to render any remuneration for it.

I understand that Mr. McGrath is petitioning on behalf of all the parishioners of that Corporation for each the right to take as much timber as he and his tenants have fenced in, that is every rod of the township leased to them should be fenced over. Others of such is the case I think it will be admitted that they are entitled to their reasonable enjoyment of the day. If the timber is so essential to them as is represented, early steps should have been taken long ago. They cannot plead ignorance of the method adopted by the Government of dealing with grazing lands, as they were two of the chief cases in the County Co. Cavan and the Patrick every kind they go to town. If they really considered the grazing privileges worth

1265

653

1265

paying for it is strange that they should have allowed Mr. McDonell to come out from Scotland took their territory over with the avowed intention of securing a large tract for sheep raising purposes, and so block and lease it for their heads. Since four years ago all "Blank & Praying Leases" which Blank has numerously spread over the Country there the "McDonell Lease" as comprised of the territory from Short River & Hurley South & Port Nelson and it was equally well known when Mr McDonell abandoned the lease numerous offers being made & all their plant and improvements. The place was several times offered to me through Lord Selkirk, and subsequently their homestead with 160 acres sold to a gentleman now living at Colony Park a very intimate friend of the Rev. J. McDougall. Shaw it upon good authority that the McDonell estate owed a considerable account to the Hudson Bay and feel safe in asserting that anyone in the Country was as thoroughly acquainted with the McDonell affairs as they. That latter fact, the Company could have been given them of securing the lease and thus recouping their former outlay, if they really coveted the grazing privilege but enough to say sent for it. They own opinion was that they owner of the territory North west of this which was chiefly valuable to any one else, and which they would lease when it would seem necessary to do so to keep it out of the hands

J.

1265

654

1265

of others that they would continue working
up of the N.E. shall leave, and true just
as long as possible and take advantage upon
any true fair Stephenson leaving the
Colonists of it which all their unsettled
disputes would leave open to him.
The Hawkes people are sufficiently
staved and well informed to be able to
look after their own interests, and having
settled from a desire to conduct Gaying
about as long as possible, & from his differing
allowed the opportunities and year after
year go by without taking the well-
known necessary steps to secure the
Lease of the fishing privileges around them
they cannot blame the Government for
selling those privileges to those who take
them to secure and are willing to pay
for them.
My opinion is forwarded that in
settling the Turnbaden claims, although
the ordinary system will not be insisted
upon that blocks of land will be granted
without reference to section & Township lines.
As to Shags it will not be forgotten that I
have risked all I possessed and have ob-
tained financial assistance in my venture,
mainly upon the strength of having secured
an unquestionable title & good security for
cheap sawing operations and that I shall
need every acre of ground to which the
Lease entitles me. I think I am justified
in asking that any land illegally leased
since February 1885, when it was well known
here

1265

655

1265

that I had obtained the lease may be taken from me and that if the said homesteaders are more land is granted than they are legally entitled to. They are sons of these farmers and my lease gives them an excess of that specified in clause eleven of my lease. It might be taken from a stock raiser who has found it worth while to obtain a legal right to, and pay rent for it and even to other stock raisers who work no such harm.

The McDonell claim I would call special attention to. Mr McDonell says he has sold it to Mr. Parkin of Calgary, and one of the Rev. John McDougalls I think my mean the Rev. J. McDougall himself and I find that if the survey recently made comprises more land than they are legally entitled to, the surplus will be thrown open to any one.

The actual stock owners who are outside signed on the lease are Rev J. McDougall, D. McDougall, Miss Adams, Edmonton Bay. The following have a few which some of them own, but take care of stock in the large claims of non-residents.

Mrs Ellis cattle owned by Mrs Begg, Calgary
D. Grant " " " brother "
Archibald " " Scott "

The letter (to Bend or here) was brought before the lease after I had my instructions etc.

This winter I am endeavoring to collect in the land, next summer proceed with measurements making the land of them

and

1265

656

1265

matter out of Lands, Stables etc, similar to those who have near the Reserve. They will be about 3 miles back and we shall commence Tuesday next week or the week after that. The third year the same has to be repeated and so on till the Survey is finished During Summer we have Camps about every two weeks and as they will require Provisions with Instruments and what Land they are entitled to. I shall esteem it a favor if after settlement of the matter, you will advise me time &c.

Yours respectfully
J.S. McKenzie

P.S. Since I came here Mrs J. S. McKenzie has taken a staging case of Scurvy but of Scurvy

J.S.M.

W. Pearce Esq
Superintendent
Dominion Lands Office
Winnipeg

1265

657

1275

1265

Millwood Alberta
Feb 16th 1885

Dear Sir

As I am not exactly claiming pre-emption rights - the Statutory Declaration form sent to me does not afford room to answer the special questions mentioned therein - I therefore take the liberty of giving on plain paper the information you ask.

Yours truly
Jos. Whale

W. Pearce Esq
Superintendent
Dominion Land Commission
Winnipeg

Question No. 18 from No. 100. Do you claim a pre-emption 160 acres?

Ans. Until my business is a little further developed I do not feel warranted in staking upon a site for a homestead. I am forming intention of creation of a dwelling house at the place marked A on rough diagram annexed and at present believe it will be the most convenient place for my head-quarters. After I have had the sheep a couple years I shall be better able to judge and the time would rather leave the matter open.

No. 19. What area do you claim as pre-emption & purchase & lease?

Ans. The answer given to No. 18 applies to this also as to what pre-emption I have no

658

1265

1265

claim to purchase land. As a lease I claim equally the privilege leased by me by the Order in Council of 21st Feb. 1865. The boundaries and terms upon which it was granted are clearly given in Lease No. 69 of that date.

No. 20. When did you first settle or make improvements on this claim?

No. 21. What date did you first go into residence upon it, meaning making your home and living upon it. If not as before claimed state when your residence began?

Ans. I arrived here with my household effects on the 7th May 1865, and the house has been my home ever since. Built log cabin (20 x 30 feet) and on 14th June 1865 took up my residence there. On 2nd of same month I had log stable and hay barn completed, and had given Contract for erection of large brick Store. The prices of lumber [illegible] reduced rate, if I would wait for the operation of saw mill at Carleton, and the desirability of having one in our Town & every building material was open, induced me to defer building a house till the mill should begin, and rented from Mr McGrath a log house at Brantley for my own use temporarily. The log cabin mentioned has been used constantly by my men. Excepting why the time was taken up by my self & Sheep. A statement showing the location is I am now contracting for erection of a small brick house. It is the cost about $650.00

1265

659

1265

No. 30. Give size and description of house and where it is situated?

No. 31. Present Cash value of same?

No. 32. What other buildings have you and where are they situated?

No. 33 Description size of same?

No. 34 Present Cash value?

No. 34 A. " " " Fencing?

Ans. Excepting part of work on sheep sheds which was done by contract for $305= all improvements have been done in such a way that I can but give their approximate cost as nearly as I am able to judge they are worth as follows:- (Lumber dues are not included)

| | | | |
|---|---|---|---|
| B | Log Cabin | 16/6 x 15 | 110.00 |
| C | " Stable | 20 x 20 | 80.00 |
| D | " Shed | 15 x 20 | 30.00 |
| E | " " | 46/9 x 20 | 95.00 |
| F | " " | 166 x 38/6 | 475.00 |
| | " " | 121 x 26/6 | |
| | Coral Latticework for Sheep Pen | 168 x 160 | |
| | Coral | 30 x 65 | 56.00 |
| | " | 30 x 65 | |
| | " | 20 x 24 | |

Well - (Stoned, 23 ft deep) Pump 75.00

I have also improved Bay Trail through Timber and built the corrals of Brush for use in first location.

No. 44. What amount of Stock have you, Horses Cattle, Sheep, Pigs &c and present Cash value thereof?

Ans. 5 Horses $ 485-

2270 Sheep $ 7570

660

1265

1265

Dec. In Justin Jones after improvements I have partly done at about the lowest figure at which Stephens Estate could be made by anyone having definite instructions and extract it so right along with the whole of them. The time spent in deciding upon locations and plans make them far more valuable to me.

I, Francis White of Morleyville make oath that the foregoing answers are correct and true in every particular to help me God.

Sworn before me at Calgary this 16th day of February in the year of our Lord 1886

Jas. A. Loughead
A Notary Public in
for the N.W.T.

} Fs. White

1265

1265

Approximate Location of Sheds erected by Francis White on Land adjoining that claimed for Orphanage

A Proposed site for dwelling
B " Cabin
C " Walls
D, E, F " Sheds
G, H } Fields claimed for Orphanage

662

1252

1276

1266

Oct 25th 6

Sir

I have the honor to acknowledge the receipt of your letter of the 18th instant, enquiring whether mining locations on K. L. M, K. O. P and Z owned by or claimed by the Alberta Mining Company, have been surveyed by the Government.

In reply I may state that they have not been so surveyed. I understand that K, L, M, and K. were surveyed by D. L. S. Nelson on behalf of said Company. If a plan with his signature and field notes properly attested, can be procured and filed by your Company with the Department of the Interior at Ottawa, all that will be necessary to be performed to enable patents to issue for the claims, will be, that they be properly connected by survey

R. H. T. Haslem Esq
Manitoba Club
Winnipeg

1256

663

1266

survey by the Dominion Land Surveyor, with the traverse of Bow River made by L. L. S. Fawcette two years ago. By applying to the Department at Ottawa they will furnish you with a copy of his traverse in the vicinity of Silver City, with which this survey is to be connected.

As to claims C. P. and 2 I think it will be found that these have never been surveyed merely staked on the ground by the parties who took them up. They I believe lie adjacent to the other claims already enumerated of that, however, I am not certain as I have not the plans here nor description. They can however be readily surveyed when the desired connection is made between K. L. M. and K and the said Fawcette's traverse. I think the survey can be made by your Company much cheaper than to deposit $60. with the Government for each claim necessary to make surveys. Of that, however, your Company must be the Judge. When once the surveys are completed no delay need

664

1266

assured by their Insurance Brokers Messrs.
Smith Fitz Stevens & Jones Fleets Insurance
by H. M. S. Insurance Office Cross Lane. By
applying to the Shipbrokers as Officers
their until Insurance upon such a copy of
this Insurance as the Secretary of Admiralty
shall, until advised this assured is to be
continued.

If a claim of Pound 2 1
should it until be proved that this Insurance
ceases. Every assured, insured shall be
the Insurance by the Particulars into Lloyd
Office. Lloyd & Policies of Insurance &
their Policy claims already ascertained &
their Insurance, & once such certain as these
the Fleet Insurance & Insurance
Insurance in vessels Insurance & Insurance
Insurance by vessels assured under the insured
Insurance by Insurance Insurance. & their
Fleet assured case by vessels by Fleet Company
vessels charges Fleet to Insurance Ins Smith Fitz
Insurance Insurance Insurance Insurance
vessels Insurance. Ltd Fleet, Insurance, Insurance
Insurance Vessels to Fleet Insurance, Insurance
Insurance assured are continued Ins Admiralty

Insurance

1266

need ensue in the issue of patent.
Should, however, you decide to depart
the £50. as payment for survey leaving
it for the Government to perform the
same, it is not likely that such survey
will be performed before next season,
consequently patent will not issue till
the completion thereof. If you decide
to make these surveys yourselves it is
possible they may be so done. This course
I have the honor to be
Sir
Your Obt. Servant
[signature]
Secretary

1266

Dear Sir,

I am very sorry to be obliged to trouble you with this letter. If you receive this letter you will understand it. I am very sorry to be obliged to trouble you with this letter. If you receive this letter you will understand it. I am very sorry to be obliged to trouble you with this letter. If you receive this letter you will understand it.

Yours truly,

665

1267.

1277

Sir

Oct 25th 6

I have the honor to enclose herewith copy of a letter received by me from R. J. Haslam, and my reply thereto, having reference to the survey of the Alberta Mining Company's claims near Silver City. The action I have indicated will, I trust, meet with your approval, should it not, please advise me as to the course to be pursued in this and other cases in the future.

I have the honor to be
Sir
Your Obt. Servant
Wm Pearce
Superintendent

The Secretary
Dept of the Interior
Ottawa

666

1267

Sir,

I have the honor to enclose,
herewith, copy of a letter, received
by the Secretary of the Treasury, and my
reply thereto, touching reference to the
purchase of the Alberton Planing
Machine, Chisels, Saws, Belting
&c. &c. &c. indicated upon
the margin of the letter, marked
"Urgent", with "Specifications"
attached to it, Please address your
reply to the person to be addressed,
as the Act requires, and not to the Bureau.
I have the honor, &c.

Chief Engineer.

Lieut. Col. Comdg. Engineers,
Halifax, N.S.

1267

Copy

Manitoba Club

Winnipeg Oct 15th 96

Dear Sir

Re Mining Locations known as the Alberta Mining Company

K. L. M. K. A. C. P. 2.

Have these claims been surveyed by the Government?

Yours truly

Sgd. Robt. T. Haslam

Hon Clare Sifton

1262

667

1267

Copy

Oct 25th 6.

Sir

I have the honor to acknowledge the receipt of your letter of the 15th inst, enquiring whether mining locations on N. L. M. N. 0. Rand 2 owned by or claimed by the Alberta Mining Company have been surveyed by the Government

In reply I may state that they have not been so surveyed. I understand that N. L. M. and N were surveyed by D. L. Nelson on behalf of said Company. If a plan with his signature and field notes properly attested, can be procured and filed by your Company with the Department of the Interior at Ottawa, all that will be necessary to be performed to enable patents to issue

R. N. T. Haslem Esq.
Fort Ellice
Manitoba

1267

Dear Sir,

I have the honour to acknowledge
the receipt of your letter of the 15th inst.
requiring information respecting Gentlemen
per H. J. M. S. Pheasant to proceed up the
Rivers to the Castle Nursing Compound
there were surveyed by the Commander
Sir Ralph & every facility
they have made use of accordingly. I
understand that H. J. M. must be accom-
panied by H. J. Pilots per ordinary custom
Compound. If a Pilot could this explanation
must first take Bridge allowed, can be
Steamer must take by Pass Compound
with the Explanation of the Admiral-
ty Office) all that will be necessary
to be observed to enable Pilots to

Yours

P. S. I shall see Capt
Commissioner

1267

sure for the claims, will be, that they be properly connected by survey by the Dominion Land Surveyor, with the traverse of Bow River made by D. L. S. Fawcette two years ago. By applying to the Department at Ottawa they will furnish you with a copy of his traverse in the vicinity of Silver City, with which this survey is to be connected.

As to claims 0, P and 2 I think it will be found that these have never been surveyed merely staked on the ground by parties who took them up. They I believe lie adjacent to the other claims already enumerated, of that however, I am not certain as I have not the plans here nor descriptions. They can however be readily surveyed when the desired connection is made between N. L. No and No and the said Fawcette's traverse. I think the survey can be made by your Company much cheaper than to deposit $50 with the Government for each claim necessary to

make

1267

Line for the claims, will be, that they be properly connected by survey by the Dominion Land Surveyor, with the traverse of Bow River made by D. L. S. Fawcett two years ago. By applying to the Department at Ottawa they will furnish you with a copy of his traverse in the vicinity of Calgary, with which this survey is to be connected.

As to claims O, P and R I think it will be found that these have never been surveyed merely staked on the ground by parties who took them up. They I believe lie adjacent to the other claims already enumerated, of that however, I am not certain as I have not the plans here nor description. They can however be readily surveyed when the desired connection is made between K. L. M. and Y and the said Fawcett's traverse. I think the survey can be made by your Company much cheaper than to deposit $50 with the Government for each claim necessary to

make

1267 make surveys. Of that, however, your Company must be the Judge. When once the surveys are completed no delay need ensue in the issue of patents. Should, however, you decide to deposit the £50. as payment for survey leaving it for the Government to perform the same, it is not likely that such survey will be performed before next season, consequently patents will not issue till the completion thereof. If you decide to make these surveys yourselves it is possible they may be so done this season.

I have the honor to be

Sir

Your Obt Servant

(Sd) [illegible]

Secretary

670

1267

Yours truly,

Geo. Burpee

(Mr.)

Secretary

671.

1268

1268

7

forward you upon receiving advice as to the amount.

I have the honor to be
Sir
Your obedient Servant
J. Pearce

Address.

William Pearce
Superintendent of Mines
Office of the Dom[n] Lands Commission
Winnipeg, Manitoba

M[r] A. B. Milgard Esq
Superintendent
W. Coast of Fredk Carvey
Port Angeles W.T.

1268

27 Oct 6

Sir.

I should be obliged if you would forward to me, at as early a date as possible, two copies of the map of "Alaska and adjoining Territory" published by your department in 1884., if there is no later issue, if there is, however, please send it. Please also send chart of the Alaskan coast between 130° and 141° west of Greenwich.

Any charges there may be in connection therewith I will forward

1568

1568

158

672

bl 21

1269

2

usual practice was followed, Craig the manager, giving her permission to Craig, the homestead, to make the entry.

Yours very truly
Wm Pearce

E. F. Kirby Esq
Agent of Dominion Lands
Kamloops

1269

27th Oct. 6

Private

My dear Sir,

I am duly favoured with your letter of the 20th instant.

I dont see any reason why you should not inform Mr Caul as to Craig's entry the practice of the Department has been to grant entry in a grazing lease upon the consent of the manager thereof being obtained. In this instance the

1569

1569

625

1280

1270

Oct 6.

Dear Sir,

In all probability I will be in British Columbia shortly, and if you have not retained the services of a quatter within the Railway Belt to whom only you are yet bound you might write for it and have it in your possession by the time I reach there

Yours truly.

J. B. H.

J. B. H. Aikman Esq
Asst Dominion Lands
New Westminster
B. C.

1270

1280

1271

1281

28th Oct- 6

6th Inst: asking for information regarding the leasing of lands in the North West Territories near Calgary, for cattle Ranches, and in reply I state that all such leases are granted at Ottawa, and I would suggest that you apply to the Secretary of the Department of the Interior for the information you desire, enclosing with the same, say $10.00 as fee for the preparation of the plan necessary to be prepared to show you what lands are still vacant. These leases are granted under the Dominion Lands Act by Order in Council, consequently can only be obtained at Ottawa. No leases are being granted almost every day, it is impossible to furnish

J. Stuart Gale Esqr
Victoria
B. C

1271

1271

furnish a lithographic plan showing the lands available, if one were prepared today, it would be more than twelve or less than three months, consequently that can only be done by hand, under the necessary for such preparation.

The terms under which leases are granted are five cents per acre, per annum, subject to the right of settlers. Lands settled on within the lease are of course deducted from the area for which rental is paid.

It is now too late in the year to place cattle on the lands, and I would suggest, to save delay, that after you receive the desired information from Ottawa, that a plan showing the lands remaining unleased, also those not yet applied for, you select more than one location, or else employ some responsible party at Ottawa to make an application and selection for you there. You will readily perceive that if you confine yourself to one application, that between the time that the map was prepared and your application reached Ottawa, that land might already be applied for, whereas, if you select three or four

1271

1271

from location, numbering them in the order in which you desire them, you will find that although the first may have been applied for, perhaps the others may not have been, in which case no delay need occur in obtaining the lease desired.

In addition to the rental of five cents per acre, the lease requires that within one year from the date of the lease one head of stock be put on the land for each thirty acres, during the second year that there be placed upon the land in all, one head for every twenty acres, and during the third year that there be placed upon the land, one head for each ten acres, there is nothing however, to prevent the maximum amount from being placed upon the land during the first year, if desired by the lease-holder.

1271

1271

Should it prove on investigation that the land will not carry the stock that is stipulated by the requirements of the Regulations, that is, one head per every ten acres, no doubt on application the Department will not enforce the condition with more rigor than the circumstances will warrant.

I have the honor to be,
Sir,
Your obedient Servant
J. M. Shearer
Superintendent

677

1271

Should it prove on investigation
that the land will not carry the Stock
as contemplated by the Government
Regulation, that is, one head per
five acres, no doubt an application
to Department will not refuse the
reduction with more right than the ori-
ginal order will received.
I have the honor to be
Sir,
Your obedient servant
[illegible]
Superintendent

1272

878

1272

1287

1272

29th Oct. 6

Sir,

I have the honor to enclose herewith a communication from Mr John Paisley on behalf of himself and Jacob Dolmage concerning 320 acres of land granted to them in conformity with letter of 8th April last - Sels No. 017911-

First as to the outlay I know nothing personally except that I have seen a saw-mill when passing there and that to said saw mill I understand there was attached a Stamp mill with one or two "Frue Vanner" concentrators, which constitutes I understand the reduction works or mill. It is quite possible the estimate $38,000 for outlay may prove correct.

Second. How each states that the 320 acres now applied for does not form either the North or South, East or West halves of the 640 acres originally requested The West half of the portion at

1272

1272

7

at present applied for covers about the line of the original application. This is, I think, caused by the applicants not knowing the correct bearing of the Railway line as the line of the first application.

Mr Price claims that negotiations with capitalists are pending and the successful conclusion of same for the further development of the Mining interests in this District largely depends on a favourable reply to the enclosed request which is that Dulmage and Pasley be informed that according their statement Pasley's correct patent will issue as soon as the necessary surveys are completed and that accordingly Mr Price that said patent has priority over the water power of the Potter Pool creek with a mudgrant and not the number thereof.

I met a gentleman here a few days ago named Dr. Cameron (or Campbell) who stated he represented large capital interested in mining in Colorado, California &c and was on his way to Ottawa Said to report on the Release of Abiel Reeves

080

1272

1272

3.

between Pawley and Talmage are interested, and Mr Pawley states he would like the reply to the A.B. forwarded and telegraphed him or myself. If to the latter it would of course be communicated to him without delay.

So far as the timber is concerned there is, I think, no more thereon than would be required for their purposes provided they carry out their scheme. It might be entered by the Madras subject to the usual dues. If it be now entered by a licence I see no other course but to make it subject to the same. One Wright and Coy own I understand the land which Mr Pawley states he can furnish a declaration from them agreeing to come into the arrangement that is proposed and will be carried out if the desired promise or assurance can be obtained.

As to the water power. I see no objections to granting same to them so far as they actually require it for the purpose of their works, reserving to Government the right of granting any

181

1272

1272

4/

sufficient water power, dam, there no actual damage. In this connection I would suggest that the Otter Lake creek be made an Exception thus making the Government Railway Reserve equal advantage without in any way infringing with their rights & privileges.

I formed Mr Priestly that it would be necessary before the Department could be in position to issue a patent and if it be decided to make the Otter Lake creek one of the Boundaries of the grant a survey or traverse of the same from as much southerly about a mile above the Railway Bridge will be necessary, and the said information as also has not, I think, been obtained by the Department of the Interior Surveys this season. I would therefore recommend this application may not be granted be informed that an accurate survey of the said creek as to therein indicated by a Dominion Land Surveyor must be done at their expense determine the Boundary of further reason will ensue

described thus:- "Westerly and Southerly line

distant

1272

652

1272

[illegible] Easterly [illegible] of a mile from centre line of the Canadian Pacific Railway at the Westerly end of Otter Tail Railway Bridge. The Easterly boundary parallel to the Westerly and distant [illegible] therefrom. The Northerly boundary the [illegible] creek to contain 32 acres excepting there from the right of way of the Canadian Pacific Railway and the right of Mines and mining conferred in letter of April 8th last already referred to.

It might be stated that there is an almost illimitable amount of water power in said creek and the right from top down same ought to be reserved. That I presume is assured in the regulations governing the disposal of Dominion Lands within the Railway belt in British Columbia.

[illegible] already been stated Mr Pawley is desirous [illegible] speedy answer.

I have the honor to be

Sir

Your obedient Servant

J. [illegible]

Asst

[illegible]

Secretary

Department of the Interior

Ottawa

1272

Winnipeg.

I shall require 2 car — p
Sawn.

Private

1283

1273

Oct 24th 6

My dear Rowe

I think you have been notified that James W. Martin will be allowed to fulfil his homestead duties in Sec 24, Tp 5 Rge 5 W 4th in accordance with the amendments of last session, I notified him that action would be allowed, but it has occurred to me that possibly his attention has not been directed to one clause in said amendments, which is that the improvements must be effected within six months of date of entry. I think it would be well to direct his attention to this, you need not however, do this officially but privately.

Yours very truly

Sgd Wm Pearce

Superintendent

The Agent

Dom. Lands

Calgary

1273

686

1284

1274

Li 29th Oct.

Wm Spaulding who has ...
as pre-emption for the E. ½ 30. 18. 2 ...
has executed & relinquish the ...
thereof described as follows:- Com...
at the S.W. angle of said section, thence
East along the Southerly limit of ...
section 4 chains, thence South 45 ...
West 4 chains and 90 links (more or less)
to the Westerly limit of said section
thence North along said Westerly limit
of said section 4 chains to the place of
beginning containing 2.45 acres.

You will please enter this in
your ledger and when the pre-emption
is paid for, take care that the fee
of land is entered therefor in granting
application.

The Agent-
Dom. Lands
Calgary
Alberta

1274

1274

for the patent. She will of course, not be required to pay for the portion reserved.

The object of this reservation is to give access to a strip of 10 chains in width on the Northern limit of Section 25, to the west which has been reserved for watering purposes and on which there are valuable Springs. You will please report this reservation to Head Office, requesting that it be noted on their Regulations and it might be well to forward a copy of this letter.

I have the honor to be,
Sir,
Your obedient Servant
(Sgd) Wm Pearce
Superintendent

1574

688

1275

1285

1275

29 Oct- 6

27th Inst- 127272 on 81178 Encl 2 referring to the claim of William Keith and Owen Osborne to portion of Section 2, Township 43, Range 23 West-4th and in reply to state that at the date hereof, August-24th, I had before me copies of two letters, dated 3rd March 1885 of which you also enclosed copies in the letter of which this is an acknowledgement. I have not here any means of knowing whether the Edmonton and Saskatchewan Colonization Company had carried out, in regard to Messrs. Keith and Osborne, what the Minister requested in those letters of the 3rd March 1885, but Simpson informed me verbally, that such would be carried out- but Messrs Keith and Osborne may not at present be in a position to pay said

The Secretary
Dept- of Interior
Ottawa

WP

1275

1275

1285

589

1275

Company, therefore I thought it advisable that in making final arrangements with this Company, that lands should be reserved, that is not granted to said Company, thereby protecting Messrs Keith and Schultz, such was the object aimed at in my letter of the 24th August: If it is thought desirable, I will communicate with the Simpson regarding this matter, but I think it could be better done through the Agent of Dominion Lands at Edmonton.

I have the honor to be,

Sir,

Your obedient Servant

Sgd Wm Pearce

Superintendent

1275

690

1276

1286

27th Oct. 6

Sir

Geo. L. Broderick, brother with A.L. Broderick applied to purchase & obtain in some way, title to Section 25.18.29.W.4th During my recent visit in that neighborhood I inspected this section and it was decided between Mr Broderick and myself that the E½ of Legal Subdivision 13.14.15.916 of this section should be reserved for Stock watering purposes, there being valuable springs thereon, that is a strip of 10 chains in width, from off the Northerly limit and entirely across the section.

A.L. Broderick was accorded the right to purchase 320 acres of this

The Agent
Dom. Lands
Calgary
Alberta

1276

631

1276

Section at $1.25 per acre, and George, his brother now asks the same privilege. I fail to see on what grounds George can be accorded this. I have reported this matter pretty fully to the Commissioner in a letter dated 18th September 1886, & am in expectation of making a sale to the Broderick Brothers, 320 acres out of the 960. The sold to them at $1.25 per acre, the balance to be sold at $2.00 per acre. Broderick stated from me on enterring, that he was agreable to them terms if time were given him to pay, I replied that I would recommend it on his paying interest at the rate of 6% annually, in advance, the interest on 320 acres at $1.25 per acre to count from 1st January 1886, the interest on the balance at $2.00 per acre, to count from the 1st November 1886, You will please notify the Broderick of the decision arrived at.

The sale of the section may be made to both or to one, if he obtains the consent of the other, otherwise sell A. L. Broderick at $1.25 per acre, subject

1575

625

1276

I Homestead Conditions Sec 8 W/4
and L.S. 10. 11 & 12 Also Sec S/2 L.S. 13 & 14,
and all Surp Broadrick Sec
balance of Sec Section 28 Town
Share Sec Town Sec,
Li
Gov Medicine Lessee
Jed Wm Penn
Superintendent

1576

693

1277

1287

27th Oct 6

Sir

In further reference to my letter of the 18th Sept: last, concerning the application of Geo L. Broderick and his letter to Lee. 25.10.29 W. 4th I have the honor to state that since that date, I have inspected the land in question, and on discussing it with Mr Broderick I told him that I would recommend that all of the said Section be sold to him and his brother, save and except the E½ of L.S. 13.14.10W.6, that is a strip 10 chains in width from off the Northerly limit and extending across the Section. To this arrangement Mr Broderick acquiesced

W. A. Smith Esq.
Comr Dom. Lands
Dept: of Interior
Ottawa

1277

694

1277

I have this day notified the Agent at Calgary & Mark in his Township Applicants the quarters of the land in question that is the E/2 S.E. 13. 24. 10 W 4th Mer. & S/2 N.E. 18. 24. 29 W 4th.

I enclose herewith copy of a letter to Agent at Calgary which I trust will meet with your approval, should it not please advise him to the contrary.

I have the honor to be,
Sir,
Your obedient Servant
(Sd) Wm Pearce
Superintendent

1272

1277

1288

27th Oct 6

Sir

Our Geo L. Brondwick
Settler with A-L. Brondwick applied
to purchase a portion of some very
valuable Lots in Section 25:10:29 W4th. Owning
adjacent quarter in that neighborhood. I
inspected this Section and it was
decided between Mr. Brondwick and
myself that the N/E of Legal Subdivision
15.14.15.16 of this Section should be
reserved for Stock watering purposes
Then being valuable Springs thereon
that is a strip of 10 chains in width
from off the Northerly limit and
entirely across the Section.

A. L. Brondwick was awarded
the right to purchase 320 acres of
this

The Agent
Dom. Lands
Calgary
Alberta

1588

1577

696

Die Lage der Provinzen

1277

Section at $8/2½ per acre and Gorge, his brother now asks the same for Gorge, I fail to see on what grounds Gorge can be accorded this. I have reported this matter pretty fully to the Commissioner in a letter dated 18th Sept. 1886 I see no objection to making a sale to the Broaderick Brothers, 320 acres of the 560 to be sold them at $8/2½ per acre, the balance to be sold at $2½ per acre. Broaderick stated to me in our interview that he was unable to them down if they were given time to pay I replied that I would recommend it on this payment instalment annually in advance. The instalment on 320 acres at $8/2½ per acre account from 1st Jan. 1886 the instalment on the balance at $2½ per acre, to count from the 1st Nov. 1886 You will please notify the Broaderick of the decision arrived at.

The sale of the section may be made to both or to one if he obtains the consent of the other, otherwise sell S.E. Broaderick at $8/2½ per acre, subject to the usual standard conditions. The S.W/4 and

1277

637

1277

L.S. 10:11 & 12 and the S½ L.S. 13 & 14
and sell George Brodrick the balance
of the section reserved.

Share the town lots.

Yours obedient servant
Jed Wm Pearce
Superintendent

1277

695

1278

1289

Oct 27th 6

Sir

I have the honor to acknowledge the receipt of your letter of the 8th inst. No 109417, in reference to the portion of land held by the British American Company, near Calgary, which the Governor as President of said Company agreed with Mr Wills, during his late visit at that point, should be relinquished, and asking me to make an official report on the matter, and to state what steps have been taken thereon.

In reply he agrees to recommend to the favorable consideration of his Company that the E/2 of Township 25 Range 3

A. M. Burgess Esqr.

Deputy of the Minister

of the Interior

Ottawa

1273

West 6th and the S½ tier of Sections
in the E/2 of 26. R. 5 W 5th. should
be surrendered so that Mr Francis White
might be granted the lease of same. Mr Francis
White stated that if Senator Cochrane
agreed to recommend it to his Company, he
would take the risk of the Company ratifying
the same, and would forthwith take
possession and erect buildings on the land,
which I believe he has done. I know of
no further steps having yet been taken to
complete this transaction. I hope, within
a month or six weeks, to have the whole
matter between the Morley Settlement and
Mr White closed so that funds will be
available then to refund to the British
American Ranche Company the amount
heretofore paid by that Corporation to the
Government for that portion to be leased to
Mr Francis White, that being the condition
under which the Hon. Senator agreed to
make the foregoing recommendation to
said Company. Secondly he agreed to
relinquish in favor of Settlement all of
Sec. 24. R. 2. W 4th except Sections 32 and 34 thereon
three-

1278

700

1278

these Sections be stated to be absolutely required to carry out his enterprise, having made arrangements to erect sheep sheds and make the point head quarters for a portion of his flock of sheep held on this Lease.

The Agent at Calgary was instructed verbally, at the time that he could notify parties that all of this Township except the two before mentioned Sections would be open for entry but not to grant entry thereof until he had been notified from the Head Office that the said Company had relinquished this Township in favor of the Government.

Would it not be advisable that the Hon. Minister be requested to write a letter to the Department in the foregoing effect, and so that instruct the Agent to grant entry to any portion of the Township relinquished, as it might be thought sufficient to issue such instructions without any further notification from the said Corporation.

I have the honor to be

Sir

Your Obt Servant

Superintendent

1278

Hier. Gelegenheit die Gelegenheit die Gelegenheit zu-
gesandt & sorry was his birthplace known
made arrangements & was also glad when
met wrote Mr Perish Israel Greenberg
& Hendricks of his friend & adopt Isaac no
Mrs Isaac.

Mr Lyons ask Lindsay was visiting
yesterday, as Mr Isaac Nicols he asked kindly
Jewish Nicols ask if Mrs Abrahall recognized
her sister Mrs Goldsmith remind he when
he. only Isaac was Nicols & Israel Nicols
Mrs Isaac Rose Nicholls Jews Mr Moses Lyons
Mrs Mr Isaac Benjamin Israel Nicholls
Mrs Abrahall Mrs Isaac Benjamin Israel Nicholls

Nicols it was he mentioned Mrs Mr.

observe he requested he write a letter to Mr.
Nicholls Israel & Mr Benjamin Nicholl were Mrs Nicholls
Israel Mr Lyons & Mrs Israel Benjamin
& Mr. Benjamin requested as it Angela &c.
Nicholls Israel & since early Nicholls Mrs
Israel Nicholls Benjamin Israel Nicholls
Benjamin Nicholls.

I have Mr Moses &c &c.

Yours

Mrs Mr Benjamin

Benjamin Nicholls

1279

1290

27th Oct 6

My dear Clarke

Yours of the 18th I have,
I enclose bill in detail in duplicate,
and receipt for the amount, which
please sign and return me, I also
return you a receipt from Cable, which
please witness and return me. You
will notice two items added
to the Bill, viz, September 24th Oil,
axle grease and rope, eight feet sub-
and rope at Beehive Creek, October 1st
twenty feet cents, total $1.10, the total
amount of the Bill is $24.11.

In addition to this amount
there is to be charged against me $8.20
for provision, making a total of $32.31.
You received from me, if I remember
correctly

G.F. Clarke Esq
Forwarding Inspector
Calgary

1979

702

correctly $42.00 items added on to this bill viz, One eighty-four and twenty-five cents $1.25 which I paid. Difference between what I owe you and amount paid Calls equals $.17 therefore I am to be credited with $44.42 the amount I am to be charged with is $32.34 Then is therefore now due me by you $11.22 the rest of your disbursements will be met by your allowance of $2.00 per day amounting in all for the twenty-six days $52.00 I am glad that by this you are not out of pocket if you were however, as I agreed to, I would have made up the difference by charging it to transport.

Enclosed receipt for your signature, which also please have witnessed, The bottles, rope and blankets; please have my name placed thereon and put in my room in office for future use.

Yours very truly

J. Pierce

1279

703

1279

Account in detail of substance of disbursements made by me as Sheriff of Hancock County, Ohio, in connection with an Inquest held over the body of Samuel Lee, Hancock County, Ohio, 20th September and 5th October, 1886.

Sheriff's Fees

| | | | |
|---|---|---|---|
| September | 20th | Expenses | $ 2.00 |
| " | " | Use of Team | .50 |
| " | " | Horse | .50 |
| " | 21st | " | 1.00 |
| " | " | Oats | .50 |
| " | " | Oil | .30 |
| " | 24th | Oil, Use of Team and Horse | .80 |
| " | 26th | Horse at Stable | .38 |
| " | 28th | Use of Team and Horse | .50 |
| " | 29th | Oats 43 lbs @ 2½c | 1.08 |
| " | " | Sack | .20 |
| October | 1st | Oil Use of Team | .50 |
| " | " | Horse | .25 |
| " | 4th | Horse Hire | 2.00 |
| " | " | Oats 50 lbs @ 2½c | 1.25 |
| " | 5th | Horse at Stable | .25 |
| " | 7th | Use Hack to Cemetery | 6.10 |
| " | " | Oats | .50 |
| " | " | Horse at Settlement | 2.00 |
| " | 13th | Paper Feed at Livery | .25 |
| " | 16th | Horse at Lampson | .25 |
| " | " | Livery Rig Hire | .50 |
| September | 10th | Livery Hire | 2.25 |

The above is a correct detailed statement

[illegible]

1279

704

1279

Account in detail in duplicate of disbursements made by me for the Hon. Secretary Department of Indian Affairs in connection with an inspection trip through the Qu'Appelle Lakes Reserves 20th September to 9th October 1886

| | | | |
|---|---|---|---|
| Sept. | 20th | Feeding | $ 2.00 |
| " | " | Oats & Chop | .60 |
| " | " | Hay | .50 |
| " | 21st | Dinner | 1.00 |
| " | " | Oats | .80 |
| " | " | Hay | .30 |
| " | 24th | Oil Lamp Glass and Wick | .60 |
| " | 28th | Oats & Chop | .30 |
| " | 29th | Oats 43¼ @ 2½c | 1.08 |
| " | " | Hay | .20 |
| Oct. | 1st | Oil Matches Bread | .50 |
| " | " | Hay | .25 |
| " | 4th | Oats Chop | 2.00 |
| " | " | Oats 50 lbs @ 2½c | 1.25 |
| " | 5th | Oats & Hay | .20 |
| " | 7th | Oats Chop Potatoes | 6.10 |
| " | " | Oats | .40 |
| " | " | Oats Potatoes | 2.00 |
| " | 8th | Indian Guide & Horse Feed | .25 |
| " | " | Oats & Feeding | .25 |
| " | " | Oats Hay Feed | .75 |
| Sept. | 16th | Meeting Expenses | 2.25 |
| | | Total | $ 24.11 |

I do hereby certify that the above statement of disbursements is correct.

Calgary 1886

1279

205

1280

1291

Oct 27th 6

Sir

I have the honor to acknowledge the receipt of your letter of the 7th instant, having reference to the portion of the N.E. ¼ S.10. T.24. R.1 W 5th to be reserved. each of the portion of that quarter Section granted to the Calgary Agricultural Society and sold to Mr. A. Carney, the portions to be sold to said Carney as I presume to contain five acres, and I have recommended that all that portion of the N.E ¼ of said Section lying North of the Elbow River, be granted your Society, excepting thereout a strip of 200 ft in width from off the Western side thereof. The area reserved you will see, contains five acres as nearly as may be.

I have the honor to be.
Sir
Your Obt servant
J. Ste Dale
Superintendent

Major James Walker
Calgary
Alberta

1280

1891

706

1292

1281½

Oct 27th 10

Sir.

I have the honor to acknowledge the receipt of your letter of the 21st instant, enclosing sketch of portion of Section 10. 24. 1 W 5th and asking that you be sold five acres thereof. I have recommended that that five acres be described as a strip of 250 feet in width from off the Westerly side of that portion of the N. E 1/4 10. 24. 1 W 5th lying North of the Elbow River that you will see contains five acres as nearly as may be. Unless the Agricultural Society protest against this area being sold to you, I know of no reason why the sale should not take place without any further

A. Carney Esqr.

Calgary

Alberta

202

1951/V

Dear Sir

I have the honour to acknowledge the receipt of your letter of the 21st instant, enclosing cheque for Rupees [illegible] being [illegible] amount payable to this Mission by the Government of India.

I have recommended that this [illegible] be remitted as a whole to [illegible] Bank and credited to the Mission Boarding [illegible] Fund.

I am, Dear Sir, Yours faithfully

[illegible]

[illegible]

[illegible]

1281

further delay, excepting the price to be paid by you for said lands which we have already discussed; I have notified the Head Office that you desire the Minister to place the value thereof as our ideas of values would probably not agree.

I have the honor to be
Sir
Your Ob. Servant

Superintendent

708

1281

[illegible] receiving his [illegible]
of the Music of Two Bps music Counts
waited me. Have recently discovered
I have. Nothing his Mind Office
Hath Two music his Musicks. It
Have. His Cadets Mistrust no pro-
tract of Cadets music Friendship
Hath repose.

I have His Lords &c
&c
Yours &c &c
[illegible]
[illegible]

1282

1293

Winnipeg October 26th 80

Sir,

I have the honor to acknowledge the receipt of your letter of the 20th instant, 12627 Com. 11450, having reference to the proposed exchange of land on Section 16, for a portion of the N.E. ¼ 10, both in Township 24. 16 W 5th granted to the Calgary Agricultural Society.

I have had several personal interviews over this matter, and the delay has been caused by Mr Carney and the Agricultural Society not coming to any arrangement regarding the five acres which Mr Carney desires to retain. Eventually I received the communication from Mayor Walker, dated 7th inst and the one from Carney dated the 21st instant, copies of which, together with my replies to these gentlemen, are now enclosed herewith

There is nothing now I presume to prevent the lands being handed over to the municipality specified in the patent of the 16 sections granted Agricultural Society, excepting from that portion of the N. E ¼ Section 10 lying N. of the Bow River, the following piece granted Mr Carney viz a strip from the Westerly side of said Section, two hundred and fifty feet in width extending from the Northerly limit of

1893

12883

Minneapolis Minn. Feb 28th

Gentlemen

I have this morning to acknowledge the receipt of yours dated the 25th inst. Enclosing Express receipt for $2.50 Two dollars & fifty cents in payment of Express charges on Medicine ordered by Mrs. M. E. Lyon & will be pleased to forward Express Receipt as requested.

I have just received Personal Instructions from Mrs. Lyon stating that the medicine has been changed by Mr. Lowney since the Depot Office already took receipt & may necessitate sending Mr Lyon extra medicine Mr Lowney ordered to Minn.

Accordingly I cancel the enclosed receipt & return Express Receipt for $2.50 which please credit to my account & oblige

Yours truly

Minn. ni Washington Ave S

Enclosed find Express Receipt for $2.50 which please credit to my account & oblige

Yours truly

Minn. ni Washington Ave S

1282

said quarter Southerly to the Northerly limit of Elbow River, containing four acres, I have not the plans here with which to check this, which can be done by the plans of survey made last year by D. L. S. Belanger. Mayor Walker makes the distance on the Westerly limit as 808 feet and strip 200 feet in width owing to the bend in the River will make fully five acres.

As to the price which Mr Carney has to pay for this we could not agree, his proposition to the Minister being that he should pay for it at the same rate as the C.P.R. pay on land originally situated, which he claimed could be about $25.00 or $30.00 per acre, I told him that I could not recommend that land to be sold to him at that price and he then asked that it be left to the Minister to fix the valuation as it is certainly of much more value, than that portion of 17 lying South of the C. P. Railway, and the Land Commissioner of that Corporation might be asked what value be placed on said portion, that portion of section 16 lying North of Elbow River owned by that Corporation is also I consider, about the same value as the portion granted Mr Carney, the Land Commissioner could be asked what value be placed on that. It might be that Mr Carney considers

that

1282

1282

that from the position his land matters have assumed in connection with the S. E 1/4 of 10 that he should receive special consideration in this case. In this connection I might state that had Mr Carney, at any time within the past two years, furnished, or given me the names of the parties who could have furnished the evidence which he did furnish in July last, in the dispute between Baptiste Innes and himself, I would have made a recommendation different from what was done, that if had I known what was brought out in that evidence I would have originally have recommended that Carney get the whole of the S. E 1/4 10 &c. stated to me that he regretted very much that he had not furnished me with that evidence long since, but he thought for some reason or other that I was prejudiced against him and would not listen to anything he might offer.

All of which is respectfully submitted.

I have the honor to be

Sir

Your Ob servant

J. M. Steven

Superintendent

The Secretary

Dept of the Interior

Ottawa.

1282

copy 1282

1294

Dec 27th 6

Sir.

I have the honor to acknowledge the receipt of your letter of the 21st instant, enclosing sketch of portion of Section 10. 24. 1 W 5th and asking that you be sold five acres thereof. I have recommended that that five acres be described as a strip of 200 feet in width from off the Westerly side of that portion of the N. E/4 10. 24. 1 W 5th lying North of the Elbow River, this you will see contains five acres as nearly as may be. Unless the Agricultural Society protest against this area being sold to you, I know of no reason why the sale should not take place without

J. Carney Esqr.

Calgary

Alberta

1884

Dec 1882

Dear Sir:

I have the honor to acknowledge the receipt of your letter of the 21st instant, accompanying certificate of Secretary of State for July 1st 1882 showing that the Public Press was entered. I have accordingly filed the same and issued the Certificate of Incorporation of the Mutual Life Insurance Company of New York, and I have the pleasure to inform you that the Company is now authorized to transact business in this State.

Yours truly,

A. Bierwirth

Superintendent

1282

without any further delay, excepting the price to be paid by you for said land, which we have already discussed, I have notified the Head Office that you desire the Minister to place the value thereof as our ideas of values would probably not agree.

I have the honor to be
Sir
Your Obt Servant

Superintendent

1882

714

1282

1295

Feb 27th 6

Sir

I have the honor to acknowledge the receipt of your letter of the 7th instant, having reference to the portion of the N. E/4 10. 24. 1 W 5th to be reserved out of the portion of that quarter Section granted to the Calgary Agricultural Society, and sold to Mr. J. Carney, the portions to be sold to said Carney is I presume to contain five acres, and I have recommended that all that portion of the N. E/4 of said Section lying North of Elbow River, be granted your Society, excepting thereout a strip of 200 ft in width from off the Westerly side thereof. The area reserved you will see, contains five acres as nearly as may &c.

I have the honor to be

Sir

Your Obt servant

Superintendent

Major James Walker

Calgary

Alberta

715

1882

Dear Sir,

I have the honor to acknowledge the receipt of your letter of the 7th instant, inclosing copy of the Resolutions of the Board of Trustees of the Peoria Academy of Fine Arts, and to say in reply that the Board of Trustees of the Peoria Academy of Fine Arts will be pleased to receive the Loan Collection of Fine Arts, and will be glad to have the same forwarded to the Academy at your earliest convenience. Please advise me when I may expect the Collection, and oblige

Yours very truly,

Edward Lee Warren

Secretary.

1282

1296

Oct 27th 6

I have the honor to enclose herewith for record in your Office copy of a letter which has been sent to Lt. Col. McFarland in reference to his claim to the N ½ of S.W. ¼ Sec. 29 in T. 4 N. R. 2 E.

I have the honor to be
Sir
Your Obt. Servt.
[illegible]
Register

1282

Copy

1283

Oct 27th 86

Sir.

I have the honor by direction of the Acting Commissioner to inform you that inspection has been made of the N/2 No. 240 29 W 4th to which you prefer claim and the result of such inspection is that the improvements made by you were at the date of entry was made by Major Walker of no value. It would further appear that the land was open for entry on the 20th May 1885 and it was not till April 1886 that Major Walker obtained his entry, you had therefore ample time to effect entry of the said

A. R. McLeod Esq.

Calgary

Alberta

1283

1283

said land, had for so desired.
There are therefore no grounds
for cancelling Major Walker's entry,
nor for indemnifying you for
improvements which you allege
you had on the section in
question.

I have the honor to be
Sir
Your Obt. Servant

Secretary.

718

1283

1283

1297

Oct 27th 6

Sir

I have the honor by direction of the Acting Commissioner to inform you that inspection has been made of the N½ 16. 24. 29 W 4th to which you prefer a claim, and the result of such inspection is, that the improvements made by you were at the date, entry was made by Major Walker, of no value. It would further appear that the land was open for entry on the 20th of May 1885, and it was not until April 1886 that Major Walker obtained his entry you had therefore ample time

J. A. McLeod Esqr.

Calgary

Alberta

1883

Dear Sir

I have the honor to
acknowledge the receipt of your
letter of the 27th ult. enclosing
Mr. Edw. Hall's $ 10.00 to reduce your
subscription to Science, and to assure
you of our cordial appreciation of Mr. Hall's
generosity. We shall be glad to send
Science to Mr. Hall, and they have already
been mailed to the address in
question. Mr. Hall's name will be
found upon the list of subscribers
to Science for the year 1883, now in
the hands of the Publishers of Science.
Mr. Hall's name will be entered
upon the list of subscribers to
Science for the year 1884.

Yours very truly,

J. M. Cattell
Editor of Science

1283

effect entry to the said land, had you so desired. There are therefore no grounds for cancelling Major Walker's entry nor for indemnifying you for improvements which you allege you have made on the section in question.

I have the honor to be
Sir
Your Obt Servant

Secretary

720

1283

Allen voting to Mr. Cook Count,
Just you to desired. Three are
Interested. The parents for counselling
Mayor Nichols voting was for-
misunderstanding for the disagreement
which for college. For Just as Mrs.
Hopkins as president.

Yours Mr. Lucas Letter

Mrs

Yours Mr. Cornwall

Director

1284

1298

27th Oct. 6

Sir,

I have the honor to acknowledge the receipt of your letter of the 18th inst. 127854 & 80777 and 91157, enclosing evidence taken & forwarded in support of the claim of Mrs. M. Gannon. 2404. By reference to the copy furnished, you will notice an answer to question 21 that reference is made to evidence given by the applicant

and likewise to the affidavit of R. Gannon, which evidence is a vital part of the claim & this evidence will greatly oblige me by sending me a copy of said Gannon's affidavit, so far as it refers to the birth question.

The Secretary
Dept. of Interior
Ottawa

W.J.C.

1284

1284

I presume it is attached to this file, if not you may find it in reference to a claim preferred by Garneau & Lot 7 Edmonton, if not regarding that Lot, you may find it on file connected with the fractional portion of the Section in rear thereof, which would be a part of 30.52.24.

I have the honor to be,
Sir,
Your obedient Servant
J. McLeave
Superintendent

1284

722

1285 1285 1299.

Winnipeg,
October 27th/86

Sir,

I have the honor to enclose herewith the following documents

1st Deed from Donald McLeod to Alexander McDonald, being lot 14 Edmonton Settlement, dated February 1884, and registered 6th March 1886.

2nd An agreement from Donald McLeod to Frank Oliver, dated 2nd February 1886 and registered 16th March 1886 being an agreement to convey certain portion of said lot on requiring title.

3rd An abstract of title and two letters from George Ross, Solicitor for Alexander McDonald, & Specify one dated 7th of September last and the other the 8th.

I have held these documents for some time anticipating receiving a communication from the Solicitor D Donald McLeod, Strathcona, whom I asked to write to me on the matter but he has neglected doing so and probably is waiting until he is able to furnish the information, which you will see by this I requested him to furnish.

723

1285

1285

There is nothing now to prevent issue of patents for Lots 14 if the various claimants could agree as to whose name the patents should issue. I urged on Wilson, Solicitor for Mr McDonald, to allow patents to issue in the latters name, this he objects to most decidedly Mr Scott on his part states that he wishes patents to issue in his name so that he may make good certain conveyances of portions of said Lots, which he had conveyed or promised to convey prior to the conveyance to Mr McDonald bug 1st February 1884. He states these parties look to him for title and would not be satisfied if he allowed patents to issue to Mr McDonald, having no guarantee that the latter would make good the title.

As a solution of the difficulty I suggested that Mr Surveyor Simpson D. L. S. to furnish the Department with a plan of a portion of Lot 14 similar to the one which I instructed him to furnish regarding Lot 12, also certified copies from the Register of the deeds registered in connection with any portion of said Lot 14. This plan might be made one of record in the Department and patents issued directly to the parties who are entitled to such portions. I do not know that I should not

1285

724

a fee of ab least $10 would be required by the Department for each separate patent issued, and further, that Mr. McLeod, would require to furnish the required plan free of expense to the Department, Mr. McLeod stated that he was quite willing to do so and that delay in obtaining communication from him or his Solicitor has been probably caused by waiting for the completion of said plan.

He however this plan may be sent directly to the Department and I do not desire to retain the enclosed documents any longer. I think it advisable to enclose them with this communication, and I trust my action will meet with the approval of the Minister.

There is one point to be guarded in the issue of patent and that is the portion taken from the rear of Mr. Cook to satisfy the claim of the Methodist Mission. This I think would dispose the land matters in the immediate vicinity or affecting the Town plot of Edmonton.

I have the honor to be
Sir
Your Obt Servant
W. Pearce
Superintendent

The Secretary
Dept of the Interior
Ottawa

1286

1308

Oct 27th 6

Sir.

I have the honor by direction of the Minister of the Interior, to enclose herewith copy of an Order in Council, having reference to claims to land preferred by the Alberta Mining Company, which gives you the information asked for sometime since.

I have the honor to be

Sir

Your obt servant

Superintendent

A. G. Haweis Esqr.

Hawes.

British Columbia

1286

/3204

726

Wien.

Wien 27ª [illegible]

Ihnen die besten
Weihnachts- und Neujahrs-
& die Ihre Angehörigen
herzlichst [illegible] zu erneuern
ich - Dasselbe, Ihnen & Ihren
& Ihnen & Ihren Angehörigen
[illegible] die Ihrige
Hochachtungsvoll ergebenst
Ihre ergebenste
[illegible]

Hr. [illegible] Ihnen

Ihrer

Freundin [illegible]

1286

Certified Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 22nd June 1886.

On a Memorandum dated 4th June 1886 from the Minister of the Interior submitting the accompanying report of His Deputy in which it is suggested that Captain Stallech, Sub-Agent, Calgary, Mr. Lawe, Indian Superintendent, Edmonton, Mr. Wilson, Indian Agent, Battleford, Mr. Graham, Indian Agent, Portage la Prairie, Mr. Pocklington, Indian Agent, Birtle, and Captain Macleod, Indian Agent, Blackfoot Crossing be appointed Commissioners to treat with the Indians of the Saskatchewan District for the surrender to the Crown of the Indian Reserves (5 in number) in the Province of Manitoba, and the North-West Territories, and for the acquisition of such other lands as may be required for the purposes of settlement, immigration, colonization, railway and other purposes.

The Minister states that it is desirable in the public interests that the Commissioners should be empowered to treat with the Indians for the surrender of the Reserves, that they have been in actual occupation of their respective Bands for many years, and that they are entitled to a fair amount of consideration in dealing with them.

The Committee advise that the Commissioners attached and recommended by the Minister be appointed accordingly.

All

1286

1286

Che strumento intenti Sie sonne
für mein Regiment abstrat

1286

1286

1886

729

1286

1886

730

1286

1286

1286

1286

1286

1886

1287

1301

2nd Dec 6

Gentlemen

I am directed to acquaint you that having applied to the Lords Commissioners of the Treasury for their directions in the case of the Steam Vessels employed in the Service of the Customs, they have been pleased to direct that the Vessels employed in the Service of the Coast Guard should be considered as belonging to the Customs Service.

I trust that your application will be granted.

I have the honor to be,

Sir,

Your obedient Servant

Secretary

Messrs Buchanan
Robertson & Company
Long & Grant
& Jas Whatman
Clipper
Ashford

1287

1301

1288

1302

Nov. 2nd

Sir

In further reference to my letter of the 3rd Ult: respecting the cancellation of the leases held by Mr. E. Lewis of Pac. Co. & 803 & 804 in Sandwich & the same to be issued to Mr. Thomas Lewis of Toronto, I enclose herewith copy of a letter received this day from them, also copy of my reply thereto.

You will notice that Mr. Lewis names in all, that of Mr. Thomas Lewis added, it would appear that he and they are in partnership.

I have the honor to be,

Sir

Your obedient Servant

J. Reynolds
Superintendent

The Secretary
Dept. of Indian
Affairs
Ottawa

1588

Copy

1886

Kgs Mills
12 Oct 86

Messrs Jas
Mapleton & Francis, Land Law Solicitors
Calgary

Sirs.

We the undersigned having been duly authorized Constables & Bailiffs of the Queens Bench have commenced to make application for the issue, both of us as Constables of the same.

Jed Allen J. Watson
Jed Bailiff-le Savoy
Jed Long & Lash
Jed Bailiff Richards

738

1283

1303

1288

2nd Dist 6

— Eastman

12th Sept. 1894 Applications for purchase of S.E. 23 & 24 Twp. 6 Rge 5 West and in Twp. 2 Rge 6 West 2nd Mer. Dept. of the Interior requesting that we be informed if said cancellation has effected, and if so, recommending that it be removed &c &c

Direct that the applications will be placed.

Thos. Fuller Esq.
Dy.
Minister Interior
Ottawa

Commissioner

Walter Sinclair
Solicitor for Survey
Lots 1 & 2 Sec. 6.
A. J. Whitney et al
Applts
Alberta

1304

1289

27 6

Sir

I further inform you that
letter of the 18th August 1876 from
Inverness Case No. 60 granted to
Donald S Kerr and as the 90 days
have now expired, Donald Sale &
he should whether D Kerr has
paid the arrears of rent or if the
Land is now open for leasing by the
Surveyor my recent visit to
the district - Lewis visited upon by
Mr D. McKinlay, R.N. Savoy, D.M. Lewis,
letter & Return 29. 26. 30. 31. 32. 33.
they are to come with him with
and with the Valuation Roll the
Crofting in Lot. 26 in the case of
enclosed about all the letters in

The Secretary
Dept of Interior
Ottawa

740

1304

1283

1283

the St Louis Line who are also I am
afraid stock holders. I suggested that
they should form themselves into a
Company & come to some mutual ar-
rangement among themselves and take
over the St Louis Line at least the
land owned by the said Line.
The rental of course would be 2½ per
acre per annum, and subject to cer-
tain of settlement. The Line passes
over a mixed agricultural & pas-
ture land & I am of the opinion that Cultivators will
also find that they desire to have it at as
little delay as possible whether they
may obtain such Land. Please advise me
and also the above mentioned gentlemen
whose P.O. address is St Kitts.

I have the honor to be
Sir
Your Obedient Servant

Superintendent

1283

741

1200

1305

2nd Nov 6.

Sir

I beg to enclose papers received since your departure relative to the claims of Joseph Noel to Sections 36. 24 & 8 Rge 22 W 4th M.

You will notice that from the letter of McGrath of the 16th ultimo, Noel refused to answer any questions. When I was at Lethbridge Mr McGrath asked that he might be present when the evidence was being taken so that he might elicit from him the true facts of the case. Noel refused to answer anything and simply put in his written statement

H. W. Smith Esq.
Com. of Dom. Lands
Dept of Interior
Ottawa

1830

1805

742

1290

statement and as you will
see from it, up to the date of
his entry he certainly had no
claim of any kind to the land.
Any improvements done up
to that date is a matter to be
arranged between him
and the North Western and
Navigation Co., that is, up to
the 10th of May last. This land
never was open for entry,
and consequently till never
pioneer law obtained same,
and I think that he is entitled
to pay for the tree accruing
to him by reason of the
improvements made by him
at his instance thereon.
The pair 10th of May and the
date at which he received
notification that his entry
was cancelled, or rather that
it was a mistake his ever
having been granted it. The
latter date I cannot please

at

1290

743

1290

2

at the 1st of June, as he was notified from Calgary on the 26th of May, and as under the conditions he had ample time to receive the notice by that date, and he never has received it then has he called at the Lethbridge Post Office to do so to date, when he receives such notifications.

I am of opinion that the improvements that were made between these dates amount to nil, but on that point any one who sees from the letter to the Agent 10th Oct. of the 27th ultimo enclosed

over

1890

1290

is to be taken. Who is to pay for these improvements? As the mistake was made by our Agent I presume that the Government is responsible, certainly the North West Coast and Navigation Co. can & think I do that they are entitled to this section, despite of Steele's entry, but I have no doubt that the Co. for the sake of having matters settled will gladly pay, as according to their agreement with Steele, for all improvements up to the past 1st of June. We fact is particularly anxious to have the Patent issued, so as to prevent Steele making any further improvements. Within a very short time he has placed a large timber on the place and says that he intends placing there a Brewery of considerable size.

L.

1290

745

1290

5

James recommends that he be instructed forthwith from the Head Office that no consideration can be claimed to the land be resigned, but that cancellations must be entered as to the improvements made prior to the 10th May, that he be informed that he must abandon by the agreement with the N.W. Co., and for those improvements made between the 10th May and the 1st June following thereafter he will be paid such value as may be ascertained

That

1890

290

that is the bona fide improvements placed on the said land by him during that period.

I would direct your attention to a letter from this office to Stoll of the 27th ultimo, and also instructions to the agent of the same date. The Stoll Coal and Navigation Co. are pressing for a final decision of Stoll case and the issue of patent. The Minister was fully aware of all the facts when at Lethbridge last summer and I think, no doubt concur in the course now recommended.

I have the honor to be,

Sir,

Your obedient Servant

J. Hunter

Superintendent

747

7 067